

Progress of Land Reform



GOVERNMENT OF INDIA
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FOREWORD

The Land Reform Programmes carried out by the State Governments in recent years have attracted considerable attention because of their impact on agricultural development and the influence they exert on the lives of the vast majority of the people in the rural areas. The need for a publication setting out the legislative proposals adopted in different States and the action taken to implement them had been widely felt for quite some time. In 1960 a note was prepared in the Land Reform Division for the information of the Members of the Panel on Land Reform. It was decided to publish this note as it may be of general interest. The note has been brought up to date incorporating the principal developments which have taken place since 1960.

New Delhi :
June 12, 1962.

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Deputy Chairman,
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PREFACE

The Land Reform programmes have a place of special significance in a balanced and combined approach to the problems of economic development and social justice. A broad outline of the land policy to be followed in the States was set out in the First Five Year Plan. Following the recommendations in the First Five Year Plan the Government of India set up the Central Committee for Land Reform which included Members of the Planning Commission and the principal Central Ministers concerned to review from time to time the progress of land reform in different parts of the country and to advise the States on their land reform proposals. Before formulating the proposals for the second plan, the Planning Commission constituted the Panel on Land Reform with the object of reviewing the progress in the implementation of land policy proposed in the first plan and studying further steps in connection with the second plan. Following the deliberations in the Panel detailed proposals on land reforms were set out in the Second Five Year Plan. These proposals were essentially in the nature of a broad common approach which had to be adapted and pursued in each State with due regard to local conditions and in response to local needs.

The Panel on Land Reform was re-constituted in 1960 to review the progress made in the second plan and suggest measures for the third plan. A note was prepared in the Land Reform Division of the Planning Commission for the information of the members of the Panel with a view to assisting them in their deliberations. It was felt that the note might be of general interest and therefore it was decided to publish it. The note has been brought up to date by incorporating the developments which have taken place after it was prepared in 1960.

The note consist of four parts. Part I contains a brief review of the principal developments in the field of land reform since 1951. Part I also includes a number of annexures which summarise the important provisions in the legislation of different States.

Part II of the note contains a brief report on the census of land holdings and cultivation which was carried out in the States during 1955-56 in consultation with the Government of India wih a view to collecting the data required for working out and implementing the land reform programmes. To the extent they were available at the time, the results of the census were presented in a summary form in the Second Plan. The data were subsequently retabulated for the States as re-organised in 1956. In this form they have been set out in the appendices to Part II of this note.

In the administration of land reform programmes two essential requirements are (i) up to date record of rights; and (ii) a well trained revenue agency. Part III of the note sets out briefly the progress made in the preparation of records of rights and setting up the revenue agency which is the principal State agency for the implementation of land reform programmes.

Chapters relating to land reforms in the first, second and third plans are reproduced in Part IV.



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PART I
PROGRESS OF LAND REFORM
A REVIEW

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PROGRESS OF LAND REFORM

A REVIEW

The proposals for land reform in the Second Five Year Plan related to :

- (i) abolition of intermediaries ;
- (ii) tenancy reforms i.e. regulation of rent, security of tenure for tenants and conferment of ownership on them ;
- (iii) ceiling on land holdings ; and
- (iv) agrarian reorganisation, including consolidation of holdings and prevention of sub-division and fragmentation.

These proposals are set out in a summary form in annexure I. A brief review of the progress made in the implementation of these proposals is set out in the following paragraphs.

ABOLITION OF INTERMEDIARIES

2. Intermediary tenures like zamindaris, jagirs, inams, etc., which covered more than 40 per cent of the area of the country, have almost been entirely abolished. Legislation has been enacted in all States and the Union Territories but for a few minor tenures and inams as in Assam, Gujarat, Madras and Maharashtra. In most States the legislation has also been implemented. In others, it is in the process of implementation. Statewise details are mentioned in annexure II.

3. On abolition of intermediaries, the vestiges of feudalism have been removed and a large body of tenants estimated at 20 millions have been brought into direct relationship with the State. As a result, the social and economic position of the tenants has considerably improved. In some cases tenants have acquired full ownership rights including a right of transfer without any payment. In some other cases, they were required to make some payments for acquisition of transferable rights as in Uttar Pradesh and Saurashtra. It may be mentioned that the rents payable by tenants to the ex-intermediaries, had been regulated over the past many decades by legislation. The present rents were generally regarded as reasonable and further reductions were not considered necessary.

4. On abolition of intermediaries, considerable area of forests and cultivable waste lands has also vested in government in most States. The forest lands vesting in the Governments have generally been placed under the management of the State Forest Departments. As regards cultivable waste lands, in several cases their management has been vested in the village Panchayats and in other cases they are being managed directly by Government.

5. The main problems arising out of intermediary abolition which are now engaging the attention of the State Governments relate to the assessment and payment of compensation to the ex-intermediaries, the preparation of a record of rights and the development of an adequate revenue administration in the field.

COMPENSATION

6. The estimates of the compensation payable and the amounts already paid towards compensation are set out in the table below :—

TABLE 1

*Compensation payable and paid for abolition of intermediaries
(In crores of Rs.)*

| State | Compensation payable* | | | | Compensation paid | | |
|------------------------|-----------------------|--------------|---------------|---------------|-------------------|---------------|----------------------|
| | Compensation | Rehabilita- | Interest | Total | Cash | Bonds | Total |
| | | tion grant | | | | | |
| Andhra Pradesh . | 17·57 ⁽²⁾ | .. | .. | 17·57 | 14·87 | .. | 14·87 |
| Assam . . | 3·75 | .. | 1·25 | 5·00 | 0·38 | .. | 0·38 |
| Bihar . . | 158·00 | .. | 80·98 | 238·98 | 13·2 | 9·57 | 22·59 ⁽⁴⁾ |
| Gujarat & Maharashtra. | 12·22 | .. | .. | 12·22 | 2·55 | 1·94 | 4·49 ⁽³⁾ |
| Madhya Pradesh. | 16·58 | 3·54 | 1·98 | 22·10 | 13·57 | .. | 13·57 ⁽⁵⁾ |
| Madras . . | 7·16 | .. | .. | 7·16 | 6·24 | .. | 6·24 |
| Mysore . . | 5·95 | .. | .. | 5·95 | 2·20 | .. | 2·20 |
| Orissa . . | 6·25 | .. | 2·00 | 8·25 | 2·23 | .. | 2·23 |
| Rajasthan . . | 24·78 | 18·87 | 6·66 | 50·31 | 7·25 | 18·78 | 26·03 |
| Uttar Pradesh . . | 93·43 | 70·00 | 34·93 | 198·36 | 25·05 | 94·24 | 119·29 |
| West Bengal . . | 70·00 | .. | .. | 70·00 | 7·15 | .. | 7·15 ⁽¹⁾ |
| Former Hyderabad. | 5·52 | .. | .. | 5·52 | 5·52 | .. | 5·52 |
| TOTAL | 421·21 | 92·41 | 127·80 | 641·42 | 100·03 | 124·53 | 224·56 |

*Does not include annuities payable to religious and charitable institutions.

(1) Does not include payments made in Purulia District.

(2) Amount payable in Andhra area is an estimate.

(3) Includes Rs. 1.29 crores paid up by Gujarat Government upto 30-9-60.

(4) Includes *ad interim* Compensation.

(5) Amount paid upto end of March 1960.

Thus, out of a total estimated amount of Rs. 641 crores (including rehabilitation grant, compensation and interest) about Rs. 225 crores have been paid either in cash or in the form of bonds. A provision has been made in all States for interim payments pending assessment any payment of compensation.

7. Delays in the payment of compensation have occurred mainly on account of difficulties arising out of assessment of compensation. In States where flat rates of compensation have been adopted and an up to date record of rights is available, speedier progress has been possible, as in Uttar Pradesh and Madhya Pradesh. In many States, the legislation provides for assessment of compensation as a graded multiple of the net total income of an intermediary. Before a multiple applicable to an intermediary can be determined, it becomes necessary to ascertain the total income of the intermediary in respect of all his estates or shares in estates. In several States like Bihar, West Bengal and Rajasthan, there was hardly any up to date record of rights on the basis of which estimates of the assets of an intermediary or estate could be framed. In Madras and Andhra area there is a further difficulty arising out of the provision relating compensation to the ryotwari demand to be determined after ryotwari settlements have been made in the ex-zamindari estates. This has naturally taken time. Within the above-mentioned limitations, the State Governments, it seems, are doing their best to expedite payment of compensation. It is hoped that the issue of compensatory bonds will be completed by the end of the third plan period.

8. The abolition of intermediaries has meant a considerable addition to the work-load of the revenue administration which is the principal agency for execution of all schemes of land reform. The tasks relate to—

- (i) assessment and payment of compensation to the ex-intermediaries;
- (ii) collection of land revenue from a much larger number of revenue payers;
- (iii) maintenance of an up to date record of rights; and
- (iv) survey and settlement.

In many States survey and settlement had not been made over large areas or was out of date. In many cases there was hardly any revenue administration at the village level and annual land records were not being maintained. In most cases special staff had to be appointed for assessment and payment of compensation. The tasks of revenue administration are becoming increasingly more onerous and important as progress is made in enactment of legislation for tenancy reform and ceiling on land holdings. The steps taken by the State Governments for survey and settlements, preparation and maintenance of the record of rights and the strengthening of the revenue administration have been set out in Part III.

TENANCY REFORM

9. The intermediaries were not always cultivating their home farm lands. The tenants holding land under intermediaries also were not in all cases cultivating their land. In the ryotwari areas of Andhra Pradesh, Gujarat, Maharashtra, Madras, Mysore and in the States of peasant proprietors' like Punjab, part of Rajasthan, Delhi, Manipur, etc., also, holdings or portions thereof are sub-let. Quite a

sizable area is thus held by tenants and sub-tenants under various types of arrangements. According to the National Sample Survey (8th Round) about 24% of the area operated by rural households was held on lease. This percentage varies from 11 to 26 as below :—

TABLE 2

| Zone | Area leased in as % of operated area |
|-----------------|--------------------------------------|
| North Zone | 11 |
| Central Zone | 19 |
| South Zone | 22 |
| East Zone | 20 |
| West Zone | 22 |
| North West Zone | 26 |
| ALL INDIA | 20 |

In the census of land holdings and cultivation also, data regarding leasing were collected. They are set out in the table below :—

TABLE 3

| State | Area leased out a % of area owned |
|-----------------------------------|-----------------------------------|
| 1. Andhra Pradesh | |
| Andhra | 8·6 |
| Telangana | 13·6 |
| 2. Gujarat | 8·3 |
| 3. Kerala | 11·0 |
| 4. Madhya Pradesh () | 6·7 |
| 5. Madras | 9·7 |
| 6. Maharashtra | 17·9 |
| 7. Mysore* | 20·5 |
| 8. Punjab* | 27·0 |
| 9. Rajasthan (Rajasthan area) (²) | 17·4 |
| 10. Uttar Pradesh (³) | 1·1 |

(¹) Excluding Vindhya Pradesh area.

(²) Data relate to 22 selected tehsils.

(³) Data relate to 204 sample villages.

*In respect of holdings above 10 acres.

10. In interpreting the above data, it may be kept in view that in both the surveys the tenants to whom permanent and heritable rights had accrued were regarded as owners of land. If tenants with permanent and heritable rights were also considered as tenants, the actual extent of leasing would have been considerably larger. It may also be mentioned that the National Sample Survey (8th Round) related to the year 1953-54. The census data also related generally to the year 1953-54 and in some cases to the year 1952-53 and 1954-55. In recent years tenants have been evicted from considerable area. To some extent tenants have acquired ownership. The above data may not, therefore, reflect correctly the existing picture regarding the extent of leasing.

11. The measures of tenancy reform relate to—

- (i) regulation of rent;
- (ii) security of tenure; and
- (iii) conferment of ownership on tenants.

RENTS

12. It has been recommended in the First and Second Five Year Plans that the rate of rent should not exceed 1/4th or 1/5th of the gross produce. Legislative measures have been adopted in all States for the regulation of rent. The rates of rent adopted in the States have been set out in annexure III. There are large variations in the rates of rents fixed in various States. In Gujarat, Maharashtra and Rajasthan, maximum rent has been fixed at 1/6th of the gross produce. In Assam, Mysore Manipur and Tripura, it varies between 1/4th and 1/5th. In Kerala, the maximum rent varies between 1/4th and 1/2 of the gross produce. In Orissa and Bihar it is 1/4th of the gross produce. In Madhya Pradesh, it varies between 2 to 4 times the land revenue according to class of land. In the Punjab, it is still 1/3rd of the gross produce. In Madras, it varies between 33 $\frac{1}{3}$ to 40 per cent of the gross produce. In Andhra area, Jammu & Kashmir, and West Bengal (in case of share-croppers), it is as much as one-half of the gross production in some cases.

13. It has been observed that in practice, crop share rent is difficult to enforce. The provisions for commutation of crop rents into cash rents also present several difficulties in enforcement. A suggestion was, therefore, made in the Second Five Year Plan that a provision should be made for the fixation of rent as a multiple of land revenue. A provision to this effect has been included in a few States. It may be stressed that rent regulation whether as a share of the produce or in cash or as a multiple of land revenue can be effective only in cases where the tenants enjoy security of tenure.

SECURITY OF TENURE

14. Legislation providing for comprehensive tenancy reform has been enacted in the following States and Union territories :—

1. Assam
2. Gujarat
3. Jammu & Kashmir
4. Kerala
5. Madhya Pradesh
6. Maharashtra
enacted but not enforced
7. Mysore
8. Orissa
9. Punjab

10. Rajasthan
11. Uttar Pradesh
12. West Bengal (except share-croppers)
13. Delhi
14. Himachal Pradesh
15. Manipur
16. Tripura

In Andhra Pradesh, Bihar, Madras, and West Bengal (in respect of share-croppers) comprehensive legislation has yet to be enacted.

15. Pending enactment of comprehensive legislation, special legislation has been enacted to provide for temporary stay of ejection of tenants in Andhra area, Madras and Mysore. In Bihar, the present law provides that tenants (under-raiayats) who hold land on oral leases cannot be evicted except on grounds of non-payment of rent or misuse of land. Tenants holding lands on written leases are not, however, protected from ejection. In West Bengal the share-croppers have also been conferred security of tenure in a limited measure.

16. The main points in regard to security of tenure relate to—

- (i) resumption of land by land owner from tenants for personal cultivation,
- (ii) definition of the expression 'personal cultivation',
- (iii) regulation of 'voluntary surrenders' and restoration of tenants dispossessed of lands through the device of 'voluntary surrenders'.

Resumption

17. It is generally recognised that ejection of a tenant should not be permitted except on prescribed grounds, such as, non-payment of rent, wasteful use of land or resumption of land for the personal cultivation of the land owner. The problem of security of tenure for the tenant thus centres on the issue of resumption of land for personal cultivation. It was proposed in the First Five Year Plan that tenants should have security of tenure, owners who were bonafide cultivators, being permitted to resume land for personal cultivation. Resumption on this ground was to be limited to the area which adult workers in a family could cultivate by themselves with the occasional assistance of agricultural labour to the extent customary among those who cultivated their own lands. In reviewing the progress made in this connection, it was observed in the Second Five Year Plan that the approach called for safeguards for reducing the risk of large scale ejection of tenants and the following suggestions were made :—

- (i) Owners with very small holdings, having, for instance, a basic holding (i.e. one-third of a family holding) or less should be free to resume their entire land for personal cultivation. Owners whose holdings are between a basic holding and a family holding should be permitted to resume half the area

but not less than a basic holding. In the case of owners whose holdings exceeded a family holding, a minimum area was to be left with the tenant. If the area under personal cultivation of the owner exceeded a family holding, the tenant was to be left with a family holding. If it was less than one family holding, the tenant was to be left with half his holding but not less than a basic holding.

- (ii) The owner wishing to resume land should apply for the demarcation of the resumable land within a reasonable period say, six months and the resumable and non-resumable areas should be determined by the revenue authority in an equitable manner.
- (iii) The owner should apply for the possession of land within a period of five years.

18. In States where comprehensive legislation has been enacted or is on the anvil, the provisions for resumption follow broadly three different patterns, namely :—

- (i) all tenants have been given full security of tenure without a right for land owners to resume land for personal cultivation ;
- (ii) owners have been given the right to resume a limited area for personal cultivation subject, however, to the condition that a minimum area or a portion of the holding is left with the tenant ; and
- (iii) a limit has been placed on the extent of land which a land-owner may resume but the tenant is not entitled to retain a minimum area for cultivation in all cases.

Uttar Pradesh, West Bengal (in respect of under-raiyats) and Delhi belong to the first category.

Gujarat, Kerala, Madhya Pradesh, Maharashtra, Mysore, Orissa, Rajasthan, Himachal Pradesh and Manipur fall into the second category. In Assam and Punjab the owner can resume land upto a prescribed limit, but the right to resume is subject to the tenant being given alternative land up to a prescribed minimum by Government.

Jammu & Kashmir, Manipur, Tripura and West Bengal (in respect of share-croppers) belong to the third group. There are, however, considerable variations in the detailed provisions from State to State, which have been brought out in annexure IV.

Definition of 'Personal Cultivation'

19. In giving effect to the provisions for resumption of lands on ground of personal cultivation, some difficulties have arisen due to defects in the definition of the expression 'personal cultivation' adopted in State legislations. In the Second Five Year Plan, the expression 'personal cultivation' has been defined to include the following elements:—

- (1) personal supervision by the owner himself or by a member of the owner's family. In order that personal supervision may

be effective, the owner or a member of his family should reside in the village in which the land is situated or in a nearby village within a distance to be prescribed;

- (2) the owner must bear the entire risk of cultivation. Where the land is cultivated by arrangements such as crop-sharing or partnership in cultivation in which payment is made in the form of a share of the crop, the arrangement should be regarded as one of tenancy ;
- (3) the desirability of providing that the owner or a member of his family must contribute personal labour may be considered, in cases where land is resumed for personal cultivation.

20. The definition of the expression personal cultivation adopted in the State enactments and Bills has been set out in annexure V. The definition adopted in Assam, Gujarat, Maharashtra, Mysore and Rajasthan includes some of the main features mentioned above, but in no State (except Manipur and Tripura) does the definition contain all the above elements. Due to defects in the definition, in many cases lands may have been resumed ostensibly on grounds of personal cultivation, but are being cultivated through arrangements lacking some of the essential elements of personal cultivation. Persons cultivating land on such crop-sharing arrangements have been treated merely as labourers or as partners-in-cultivation and denied rights due to them as tenants.

Surrenders and restoration

21. There have been instances in some areas of large-scale ejection of tenants. This has been brought out by the surveys conducted under the aegis of the Research Programmes Committee of the Planning Commission in the former States of Hyderabad and Bombay. The ejectments have generally taken the form of so called 'voluntary surrenders'. To remedy the situation, the Second Plan suggested two-fold measures :—

- (i) in order to discourage voluntary surrender of land under undue pressure, a provision should be made that (a) surrender of land by a tenant would not be regarded as valid unless it was duly registered by the revenue authorities ; and (b) the landlord should be entitled to take possession of the surrendered land only to the extent of his right of resumption; and
- (ii) the ejectments and surrenders which have taken place during, say, the past three years should be reviewed with a view to providing for restoration wherever circumstances justify such a course.

22. In Bihar, Madhya Pradesh, Mysore, Manipur and Tripura a provision has been made for regulation of surrenders on the lines suggested in the Plan.

In Gujarat and Maharashtra, the surrenders are to be registered. A landlord is, however, entitled to take possession of the surrendered land upto three economic holdings but other restrictions applicable to resumption do not apply. In most other States, there is no provision for the regulation of surrenders on the lines recommended in the Plan.

23. Provisions have been made for the restoration of ejected tenants in some States like Bihar, Kerala, Madras, Madhya Pradesh, Rajasthan, Uttar Pradesh, West Bengal, Delhi, Manipur, and Tripura.

In Bihar, Madhya Pradesh, Uttar Pradesh, Manipur and Tripura, the restoration can be made on application or *suo motu* by the revenue authorities. In other cases, the restoration can be made only on application.

OWNERSHIP FOR TENANTS

24. It has been suggested in the Second Five Year Plan that each State should have a programme for converting tenants of non-resumable lands into owners and putting an end to vestiges of tenant-landlord relationship.

The action taken in the States has been set out in annexure VI. In the following States, Legislation has been enacted for bringing tenants into direct relationship with the State :—

Gujarat

Kerala

Madhya Pradesh

Maharashtra

Mysore

Orissa

Rajasthan

Uttar Pradesh

West Bengal

Delhi

Himachal Pradesh

Manipur

Tripura.



25. In West Bengal, the tenants and sub-tenants have been brought into direct relationship with the State and conferred full ownership rights. The share-croppers have not, however, been brought into direct relationship with the State nor have they been given an optional right of purchase. In the former Pepsu area (Punjab), the right of purchase is optional. In the former Punjab area, the tenants of non-resumable lands have an optional right of purchase which is further subject to the condition that only such tenants of non-resumable lands can exercise the right of purchase as are in continuous possession for a minimum period of six years. In Assam, Bihar, Jammu & Kashmir and Madras, there is no provision for bringing the tenants into direct relationship with the State or for an optional right of purchase except in respect of surplus lands vesting in Government. In Andhra Pradesh a Bill is before the State legislature.

26. There are considerable variations in the scheme of compensation adopted in different States. The purchase price payable by tenants has been fixed as below :—

- (1) It has been fixed as a multiple of land revenue in
Assam : 15 to 20 times.

Gujarat and Maharashtra (former Bombay area) : 20 to 200 times.

Madhya Pradesh : 15 times.

Pepsu (Punjab) : 90 times or Rs. 200 per acre whichever is less.

Rajasthan : 15 to 20 times.

Manipur : 30 times.

Tripura : 30 times.

(2) It has been fixed as a multiple of rent in

Andhra Pradesh (Telangana area) : 12 times.

Marathawada area and Vidarbha area (Maharashtra) : upto 12 times.

Kutch area (Gujarat) : 6 to 12 times.

Kerala : 16 times the fair rent or 12 times the contract rent.

Mysore : 15 times the net rent (i.e. the rent minus land revenue).

Uttar Pradesh : 10 times the rent.

(3) It has been related to market value in Orissa in respect of resumable area. (In respect of non-resumable area tenants become raiyats without payment.) In Punjab area it is 3/4th of the market value.

(4) In Bihar, where the right of ownership accrue to under-raiyats on surplus lands above the ceiling limit of owners it has been fixed at specified amounts. The compensation is (a) in the case of occupancy under-raiyats, three-fourths of the rate applicable to surplus lands on which there are no under-raiyats (this varies between Rs. 50 and Rs. 900); and (b) in the case of non-occupancy under-raiyats 7/8th of such rate.

27. The amounts payable to the land-owners are generally the same as are recoverable from tenants, except in case of Bihar, Kerala, U. P. and West Bengal. In Bihar, the payment is (a) in the case of occupancy under-raiyat, Rs. 37.5 per acre of class I land per annum for 30 years; and (b) in the case of non-occupancy under-raiyats, Rs. 43.75 per acre of class I land per annum for 30 years. In Kerala, the amount payable has been fixed as a percentage of the amount recoverable from tenants varying between 30 to 100 per cent. In U.P. the tenants have been brought into direct relationship with the State without any payment, and they are given the option to acquire full ownership rights on payment of compensation equal to 10 times the rent payable by them. The payments by government to the land-owners are fixed on a sliding scale at 8 to 28 times the net income. In West Bengal also, the tenants and sub-tenants have been brought into direct relation with the State. They have been made full owners without any payment by them. They will, however, continue to pay land revenue at rates of rents payable by them to the erstwhile owners till the next settlement subject, however, to a ceiling of Rs. 9 per acre.

28. The purchase price is payable by tenants in instalments as follows :—

| | |
|----------------------------|----------------------------------------------------------------------------------------------|
| Assam | 5 annual instalments. |
| Bihar | 30 annual instalments. (Rebate of 10 per cent allowed if paid in lumpsum). |
| Gujarat | 12 annual instalments (in special cases the Tribunal might allow payment in 16 instalments). |
| Kerala | 16 annual instalments without interest (if paid in lumpsum there is a rebate of 25%). |
| Madhya Pradesh | 5 annual instalments (if paid in lumpsum, a rebate of 10% is allowed). |
| Maharashtra | As in Gujarat. |
| Mysore | 20 annual instalments. |
| Punjab | |
| Pepsu area | 6 annual instalments. |
| Punjab area | 10 six-monthly instalments. |
| Rajasthan | 10 annual instalments. |
| Uttar Pradesh | 10 times the rent if paid in lumpsum. |
| Delhi | 10 annual instalments. |
| Himachal Pradesh | 10 six-monthly instalments. |
| Manipur | 10 annual instalments. |
| Tripura | 10 annual instalments. |

There is generally a provision for payment of interest on the unpaid amount of the purchase price. Usually the instalments of the purchase price are to be deposited with the Revenue Courts or Government. In the event of failure to deposit, the instalments are recoverable as arrears of land revenue. There is a further provision in Gujarat and Maharashtra for declaring the purchase ineffective if the tenant is in arrears of four instalments.

As regards payments to the landowners, the compensation is generally payable in instalments as they are recovered from the tenants. In Kerala, Mysore, Uttar Pradesh and West Bengal, there is a provision for payment of the compensation partly in cash and partly in bonds.

CEILING ON LAND HOLDINGS

29. Ceiling on land holdings has two aspects, namely,
- (i) ceiling on future acquisition; and
 - (ii) ceiling on existing holdings.

CEILING ON FUTURE ACQUISITION

30. Legislation for ceiling on future acquisition has been enacted in all the States and Union Territories. The level of ceiling on future acquisition provided in the various enactments is set out in annexure VII.

CEILING ON EXISTING HOLDINGS

31. It was proposed in the Second Five Year Plan that steps should be taken in each State during the plan period to impose ceiling on existing agricultural holdings. The Standing Committee of the National Development Council which reviewed the progress of land reforms in September, 1957 decided that States which had not enacted legislation for ceiling, should complete the legislative measures needed by the end of 1958-59 and States which had enacted the necessary legislation should ensure that the programme was administratively implemented within a given period, say, 3 years. The Committee also suggested that adequate safeguards should be provided for preventing evasion.

32. Legislation for ceiling on existing holdings has been enacted in all the States and the Union Territories except the former Punjab. In the former Punjab area, the law empowers the Government to settle ejected tenants on surplus lands in the possession of a person above the permissible limit of 30 standard acres.

33. The progress made in the enactment and implementation of the legislation for ceiling has been set out in annexure VIII. Briefly the position is as follows :—

(i) In Jammu & Kashmir, the legislation enacted in 1951 has been implemented and about 4.5 lakh acres were taken over by the State Government. Of this about 2.3 lakh acres have been settled with tenants who were in possession of the surplus land. The bulk of the remaining area has been allotted to displaced persons.

(ii) In the Punjab area legislation was enacted in 1955 and in Pepsu area in 1956. Rules have been framed both for Punjab and Pepsu areas and declarations of lands held by surplus holders have been obtained and are under scrutiny. Up to the end of October 1961,

in Pepsu area 3,303 declarations out of 7,415 had been scrutinized and 33,647 standard acres declared surplus. 2,870 standard acres were distributed. In the former Punjab area, 20,457 declarations out of a total of 22,304 had been scrutinized; 2,93,431 standard acres declared surplus ; and 10,853 tenants settled on 18,005 standard acres.

(iii) In West Bengal, about 2.7 lakh acres of agricultural land have been taken over by Government and settled with bargadars (share-croppers) or landless workers temporarily on yearly basis. More areas will be taken over as progress is made in the implementation of the ceiling provisions. No estimate of the likely surplus is available at present. The bulk of it is already in the possession of bargadars.

(iv) In Assam where legislation was enacted in 1957, rules have been framed and declarations of surplus holders obtained which are under scrutiny. No surplus land has yet been taken over.

(v) In Andhra Pradesh, Gujarat and Uttar Pradesh, where legislation was enacted in 1960 provisions have been brought into force, rules have been framed and preliminary steps are being taken for the implementation of the legislation. In Bihar, Madras, Maharashtra and Madhya Pradesh also, legislation has been enforced but further steps for implementation have to be taken. In other States, the legislation has yet to be enforced.

34. The main problems arising out of ceiling on existing holdings relate to :—

- (i) the level of ceiling;
- (ii) effect of malafide transfers on surplus lands;
- (iii) compensation;
- (iv) exemptions ; and
- (v) disposal of surplus lands.

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Level of Ceiling

35. In the Second Five Year Plan it has been recommended that the ceiling may be placed at about three family holdings. In the First Five Year Plan a family holding was defined as an area equivalent, according to local conditions and under existing conditions of technique, to a plough unit or to a work unit for a family of an average size working with such assistance as is customary in agricultural operations. In the Second Plan, it has been observed that it would be difficult to co-relate a family holding to money income. It has been suggested that each State may specify, according to the conditions of the different regions, classes of soil, irrigation etc., the area of land which may be declared to be a family holding.

In this context, another important consideration is whether the ceiling should apply to holdings of individuals or to the aggregate area held by all the members of a family. In the latter case, the expression 'family' needs to be defined and allowance made for the size of a family. The outside limit proposed in the Second Five Year Plan for larger families is six family holdings. The case of joint Hindu families also needs consideration.

36. The provisions with regard to level of ceiling for existing holdings have been summarised in annexure IX. It will be seen that there are considerable variations in the level of ceiling adopted in different States.

In Assam, Jammu & Kashmir, West Bengal and Manipur Acts there is one uniform ceiling limit irrespective of the class of land. In other States an allowance has been made for the quality of land. This has been done in the following ways :

(i) A different ceiling in terms of ordinary acres has been fixed for different classes of lands as in Andhra Pradesh, Bihar, Gujarat, Kerala, Madhya Pradesh, Maharashtra and Orissa.

(ii) The concept of 'standard acre' has been adopted in, Orissa, Punjab, Rajasthan, Delhi and Tripura .

(iii) The ceiling is related to rental value or land revenue assessment in Madras, Uttar Pradesh and Himachal Pradesh. The area equivalents of rental value or land revenue are left to be determined by the Government.

37. With regard to unit for ceiling, in Assam, Gujarat, Kerala, Madras, Maharashtra, Mysore, Rajasthan, Delhi, Manipur and Tripura the ceiling applies to the aggregate area held by all the members of a family. In other States, the ceiling applies to the lands registered in the name of a person. In Bihar and Madhya Pradesh, however, there is a further provision that in the case of joint Hindu family properties the unit will be the share of each co-sharer in such property.

38. As regards additional allowance for the size of family there are also variations. In Madras, Mysore, Rajasthan Delhi, Manipur and Tripura, where ceiling applies to the aggregate area of a family, allowance has been made for larger families. In Assam and Gujarat, no allowance has, however, been made for the size of family. On the other hand, in Bihar, Madhya Pradesh, Maharashtra, Orissa and Uttar Pradesh where the lands held by a person constitute a unit, additional allowance has also been made for the size of a family. Generally additional allowance is made for members in excess of 5 with or without an outside limit being provided.

39. An important consideration which arises in this connection relates to special provisions for joint Hindu families. In States where the ceiling applies to the aggregate area held by a family and a family is defined as consisting of husband and wife and their children and grand-children, each branch of the joint Hindu family would automatically constitute a separate unit for purposes of ceiling. Where the ceiling applies to the land held by a person, in the absence of a special provision for joint Hindu families, the entire family would constitute a single unit for purposes of ceiling. Thus in Kerala, Madras, Rajasthan, Delhi, Manipur and Tripura, each branch of a joint Hindu family gets a separate ceiling area. The Kerala legislation further provides for a lower ceiling for unmarried adults equal to one-half of the ceiling area. In Bihar and Madhya Pradesh, as stated above, there is a special provision for joint Hindu families and each co-sharer is entitled to a separate ceiling area, even if the

lands are held jointly in the name of a joint family. In Assam and Gujarat, where the ceiling applies to the aggregate area of a family, the entire joint Hindu family is treated as one unit for purpose of ceiling. In other States also there is no special provision for joint Hindu families and the entire joint Hindu family is treated as a single unit.

Transfers

40. The Land Reform surveys which have been made under the aegis of the Research Programmes Committee of the Planning Commission have brought out that transfers have taken place on a considerable scale with the intention of circumventing ceiling on land holding. The Second Five Year Plan emphasised that each State should give urgent attention to the effect of mala fide transfers made during the past 2 or 3 years, and consider action needed to prevent such transfers in the immediate future. Transfers of lands which had already taken place, should be reviewed. The Standing Committee of the National Development Council also recommended at its meeting held in September, 1957 that adequate safeguards should be provided for preventing evasion.

41. The provisions made in various enactments have been summarised in annexure X. In some States, transfers made after the introduction of the Bill or the publication of the Bill will be disregarded such as Assam, Kerala, Madras, Maharashtra, Uttar Pradesh and Tripura. In the following cases, transfers will be disregarded with retrospective effect :

Gujarat: with effect from January 15, 1959 (the date of Nagpur Resolution).

Former Punjab Area : from April 15, 1953.

West Bengal : from May 5, 1953, i.e., the date of publication of the principal Act. A provision for taking over surplus lands of raiyats and under-raiyats was included by the amendment of 1955.

Delhi : from 10th February, 1959, the date on which the Minister of Home Affairs announced in the Parliament the decision of the Government of India to introduce a Bill for ceiling.

Himachal Pradesh : from April, 1, 1952.

Manipur: from 15-1-59 (date of Nagpur Resolution).

In other States, there is no provision for disregarding transfers made before the commencement of the ceiling law for the purpose of determining surplus land. In Mysore, transfers can take place even after the enactment of legislation. In Madhya Pradesh and Orissa, the provision go further and permit owners to transfer their surplus lands to specified categories of persons within specified periods.

42. The provisions for disregarding transfers will not apply to partitions unless there is a specific provision for regulation of partitions. The partitions will not have any material effect on surplus lands in cases where ceiling applies to the aggregate lands held by a family, family being defined to include husband or wife, dependent children or grand-children, as even after partition the lands will remain within the family and will thus be taken into account in determining the surplus land of the family.

Compensation

43. Compensation has two aspects, namely :—

- (i) compensation that may be paid to the land-owners for the acquisition of surplus land ; and
- (ii) the price that may be recovered from the allottees of surplus land.

As regards compensation payable to the owners, the suggestion in the Second Five Year Plan is that it may be determined either as a specified amount related to the different classes of land or in terms of a multiple of land revenue or in such other manner as may be considered feasible. It has been further suggested that the compensation may be paid in bonds redeemable over a period of, say, 20 years. With regard to the price to be recovered from the allottees, the suggestion is that it should be so fixed that the total annual burden falling on the allottee on account of instalments of compensation and interest payable thereon, if any, and the land revenue should not exceed the fair rent recommended in the Plan i.e., 1/4th or 1/5th of the gross produce. It is envisaged that the aggregate amount of compensation payable to the owners would be recovered from the allottees and that there would be no net additional liability on State Governments.

44. In all States except Jammu & Kashmir, a provision has been made for the payment of compensation for the acquisition of surplus lands. The provisions in the various Acts regarding compensation for acquisition of surplus lands are summarised in annexure XI. They generally follow five different patterns :

- (i) In the following States, the compensation has been fixed as a multiple of assessment :—

Assam : 50 times.

Gujarat : 12 to 200 times.

Madhya Pradesh : 50 to 20 times, on a graded slab basis, the slab being related to the rate of land revenue applicable to different classes of land.

Maharashtra : 55 to 390 times the assessment depending upon the class of land and locality.

Rajasthan : 30 to 20 times the rent-rate on slab basis depending upon extent of surplus land.

Uttar Pradesh : In case of Bhumidhars 80 times the land revenue or 40 times the hereditary rate whichever is greater, plus 20 times the difference between hereditary rate and the

land revenue; and in case of sirdars, 20 times land revenue determined at the hereditary rate plus 20 times the difference between the hereditary rate and the land revenue.

Himachal Pradesh : 48 times.

- (ii) It has been fixed as a multiple of rent as in Pepsu where it is between 9 to 12 times the fair rent payable for the land on a sliding scale for the first 50 standard acres of surplus land.
- (iii) It has been fixed as a multiple of income in the Andhra Pradesh, 5 to 3 times the gross income on a sliding scale depending on extent of land. In Mysore it is 10 times the net income, in Madras 12 to 9 times the net income on a graded slab basis, in West Bengal, 20 to 2 times the net income and in Delhi, Manipur and Tripura, 20 times the net income.
- (iv) It is related to the market value, in Kerala (varying between 25 to 60% of the market value) and Orissa (full market value).
- (v) It has been provided at specified amounts for different classes of lands as in Bihar (the amounts varying between Rs. 50 and Rs. 900 per acre).

45. With regard to recoveries from allottees, the amounts payable by them are specified in the law in case of Madhya Pradesh, Mysore, Kerala and Orissa. In other cases, the conditions of allotment and the amount recoverable are left to be prescribed in the Rules.

Exemptions

46. The following exemptions from ceiling were recommended in the Second Five Year Plan :—

- (1) tea, coffee and rubber plantations;
- (2) orchards where they constitute reasonably compact areas;
- (3) specialised farms engaged in cattle breeding, dairying, wool raising, etc.;
- (4) sugarcane farms operated by sugar factories; and
- (5) efficiently managed farms which consist of compact blocks, on which heavy investment or permanent structural improvements have been made and whose break-up is likely to lead to a fall in production.

The exemptions adopted in the ceiling laws are summarised in annexure XII. The exemptions of plantations of tea, coffee and rubber and orchards have generally been provided. The exemption of efficiently managed farms has also been provided in all States except Jammu and Kashmir, Kerala, Madras, Maharashtra, Uttar Pradesh and West Bengal. In Uttar Pradesh, in case of mechanised farms, a provision has been made enabling the Government to manage the surplus lands as State farms, the existing owners being given preference in the appointment of managers.

As regards sugarcane farms operated by sugar factories, legislation in several States exempts them from the operation of ceilings, as in Andhra Pradesh, Assam, Madhya Pradesh, Orissa, Rajasthan and Pepsu area of Punjab, Bihar and Mysore. In three States, however, different approach has been adopted. In Madras, legislation provides for the setting up of a Sugar Factory Board to review whether sugar cane farms of individual factories should or should not be exempted from ceilings. Considerations such as the requirements of the sugar factory and its financial structure have to be taken into account before final decisions are taken. In Uttar Pradesh, while there is no exemption from ceilings, provisions relating to mechanised farms mentioned above would also apply to sugarcane farms operated by sugar factories. In Maharashtra sugarcane farms of sugar factories are not exempted from ceilings but provision is made for maintaining the integrity of the farms in one or more compact blocks, for full and continued supply of raw material to sugar factories at a fair price, and for grant of surplus land to joint farming societies consisting, as far as possible, of persons who had previously leased their lands to the sugar factory, agricultural labourers employed on the farm, technical and other staff engaged by the factory for work on the farm, adjoining land holders who are small holders and landless workers.

SETTLEMENT ON LANDLESS WORKERS

47. It was suggested in the Second Five Year Plan that in the settlement on lands acquired in consequence of the application of ceiling, tenants displaced as a result of resumption for personal cultivation, farmers with un-economic holdings and landless workers should receive preference; that settlement should be made, as far as possible, on cooperative lines ; and that bhoodan lands to the extent they are made available and other lands available in a village might also be brought into the scheme for settlement on surplus lands.

48. The three main sources from which lands may thus, be available for settlement are :

- (i) surplus lands above the ceiling limit ;
- (ii) bhoodan and gramdan donations; and
- (iii) waste lands and other culturable lands available with Government.

49. The extent of surplus land will depend not only upon the level of ceiling but also upon the extent of transfers which have taken place during the past few years. At this stage, it is difficult, therefore, to make any reliable estimate of surplus lands. The provisions regarding priorities in the allotment of surplus lands are set out in annexure XIII.

50. As regards bhoodan and gramdan lands it is reported that upto April 1961 about 44 lakh acres were donated in Bhoodan. Besides, 4750 villages were given in Gramdan. Out of the 44 lakh acres of

bhoodan lands, about 8 lakh acres have been distributed. It is estimated that about 13 lakh acres are not suitable for distribution. The State-wise break-up is as follows :

TABLE 5

Information about Bhoodan lands for the period ending April, 1961

| No. | State | Lands donated (in acres) | Lands distributed (in acres) | Not suitable for distribution | Gramdan |
|--------------------|------------------------|--------------------------------|------------------------------------|-------------------------------------|--------------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1 | Andhra Pradesh . . . | 2,41,952.00 | 96,947.00 | 58,333.00 | 587 |
| 2 | Assam . . . | 23,196.00 | 225.00 | .. | 157 |
| 3 | Bihar . . . | 21,30,622.00 | 2,47,767.00 | 10,51,061.00 | 82 |
| 4 | Gujarat . . . | 78,238.16 | 45,505.39 | .. | 144 |
| 5 | Kerala . . . | 29,002.00 | 1,554.00 | 4,000.00 | 543 |
| 6 | Madras . . . | 70,823.00 | 157.00 | .. | 252 |
| 7 | Maharashtra . . . | 1,48,092.24 | 88,923.57 | 5,082.68 | 584 |
| 8 | Madhya Pradesh . . . | 4,06,152.74 | 1,06,141.72 | 17,460.45 | 74 |
| 9 | Mysore . . . | 19,973.00 | 1,527.00 | .. | 66 |
| 10 | Punjab . . . | 12,897.00 | 2,706.00 | 3,776.00 | 6 |
| 11 | Rajasthan . . . | 4,33,323.00 | 97,073.00 | 37,197.00 | 233 |
| 12 | Uttar Pradesh . . . | 4,36,095.00 | 1,24,640.00 | 90,857.00 | 63 |
| 13 | West Bengal . . . | 12,354.69 | 3,187.19 | 617.94 | 26 |
| 14 | Delhi . . . | 300.00 | 180.00 | .. | .. |
| 15 | Himachal Pradesh . . . | 1,56,800.00 | 2,100.00 | .. | 4 |
| TOTAL . . . | | 43,52,866.49 | 8,33,466.82 | 12,70,666.52 | 4,750 |

51. Most States have enacted legislation and adopted administrative measures to facilitate transfers and distribution of lands given in Bhoodan. A model Gramdan Bill was prepared by the Government of India and circulated among the State Governments with a view to facilitating the development of Gramdan villages. Andhra Pradesh, Assam and Rajasthan have already adopted legislation on this model. In Gujarat, Kerala, Madras and Maharashtra, Sarvodaya Cooperative Societies have been formed for the administration of Gramdan lands.

The Government of India has sanctioned two schemes of financial assistance to allottees of Bhoojan lands in Bihar, namely,

- (i) Rs. 30 lakhs for settlement of landless agricultural workers on Bhoojan lands, 75% as subsidy and 25% as loan, up to December, 1961, about Rs. 19.53 lakhs were spent and 13684 families were settled;
- (ii) Rs. 2.5 lakhs for settlement on Bhoojan lands on cooperative basis, 75% as subsidy and 25% as loan. Up to December, 1961, nearly Rs. 2.1 lakhs were spent and 199 families were settled.

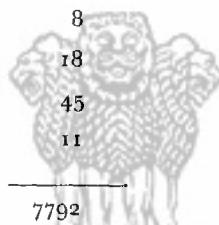
The State Governments also granted Rs. 19.5 lakhs to Bhoojan Samitis as below to assist them in the distribution of Bhoojan lands:—

| | (Rs. in thousand) |
|------------------|-------------------|
| Andhra Pradesh | 8 |
| Bihar | 669 |
| Gujarat | 108 |
| Kerala | 35 |
| Madhya Pradesh | 309 |
| Madras | 15 |
| Maharashtra | 75 |
| Orissa | 464 |
| Punjab | 10 |
| Rajasthan | 95 |
| Uttar Pradesh | 150 |
| Himachal Pradesh | 10 |
| TOTAL | 1948 |

Besides, the Government of India gave Rs. 28.7 lakhs as financial assistance for the development of Gramdan villages in Koraput. Another Rs. 8.5 lakhs were given for the development of village and small scale industries in Gramdan villages. The Ministry of Community Development and Cooperation has been supplying literature on Bhoojan and Gramdan to community development blocks. The Governments of Andhra Pradesh, Assam, Gujarat, Kerala, Madras, Maharashtra and Tripura also granted loans and subsidies for development of Gramdan villages. The Government of India propose to make available to the State Governments about a crore of rupees during the Third Plan for financial assistance to gram sabhas and Sarvodaya Cooperative Societies constituted in gramdan villages.

52. As regards culturable waste lands, it is reported that about 7.8 million acres of culturable waste lands were distributed during the past few years, as follows :

| Name of State | Extent of waste land distributed ('000 acres) | Period to which data relate | | | |
|----------------|-----------------------------------------------|-----------------------------|-------|---|---|
| | | | 1 | 2 | 3 |
| Andhra Pradesh | 633 | 1953-60 | | | |
| Assam | 222 | Upto 1957-58 | | | |
| Bihar | 386 | Upto March, 1960 | | | |

| 1 | 2 | 3 |
|-----------------------------------------------------------------------------------|------|---------------------|
| Bombay (Gujarat and Maharashtra). | 883 | 1947-48 to 1957-58 |
| Kerala | 8 | |
| Jammu & Kashmir | 8 | 1959-60 |
| Madhya Pradesh | 1490 | Upto end of 1959 |
| Madras | 235 | 1949-60 |
| Mysore | 400 | Upto November, 1960 |
| Orissa | 140 | 1948-57 |
| Punjab | 165 | |
| Rajasthan | 2636 | 1952-53 to 1957-58 |
| Uttar Pradesh | 500 | 1951-60 |
| West Bengal | 4 | 1953-57 |
| Himachal Pradesh | 8 | 1953-57 |
| Manipur | 18 | 1949-57 |
| Tripura | 45 | |
| Andamans | 11 | 1949-56 |
|  | | |
| 7792 | | |

53. Information regarding the extent of financial assistance provided by State Governments for settlement on culturable waste lands is not readily available. It is reported that the allottees were entitled to assistance out of the provisions for taccavi loans. Besides, in the Second Five Year Plan there was a special provision of Rs. 3.5 crores for schemes of re-settlement of agricultural labourers.

54. It is difficult to make an estimate of the extent of culturable waste lands that may be available for distribution. The total geographical area of India is about 811 million acres. Land-use statistics are available for about 721 million acres (1956-57), which are classified as follows :—

| | Million acres |
|-----------------------------------------------------------|---------------|
| Forest | 126 |
| Not available for cultivation | 116 |
| Other uncultivated lands excluding fallow lands | 98 |
| Fallow lands | 59 |
| Net area sown | <u>322</u> |
| TOTAL | <u>721</u> |

55. The bulk of the 98 million acres for which land-use statistics are not available, consists generally of forest area, barren and uncultivable land. India is already deficient in forest resources and extension of cultivation to forest areas would not, therefore, generally be desirable. In fact wherever possible more lands have to be brought under forests. The extension of cultivation can, therefore, be possible only to areas which are classified as :

- (i) other uncultivated land excluding fallow lands; or
- (ii) fallow lands.

Other uncultivated lands excluding fallow lands have been further sub-classified as follows :

| | Million acres |
|--------------------------------------------------------|---------------|
| Cultivable waste | 54 |
| Permanent pastures and grazing land | 30 |
| Land under miscellaneous tree-crops & groves | 14 |
| TOTAL | <u>98</u> |

56. The above sub-classification was adopted in 1951. Any sharp dividing line between the three different classes of uncultivated lands would, in any case, be difficult. It would be useful, therefore, to treat them as part of one category for purposes of this analysis. The principal States, which account for the bulk of the uncultivated land other than fallow lands are :

| | Million acres |
|--------------------------------------------|---------------|
| Andhra Pradesh | 8.1 |
| Assam | 3.6 |
| Bihar | 2.7 |
| Bombay (Gujarat and Maharashtra) | 11.2 |
| Madhya Pradesh | 18.4 |
| Madras | 3.5 |
| Mysore | 7.1 |
| Orissa | 6.5 |
| Rajasthan | 21.6 |
| Uttar Pradesh | 7.3 |

[Source : Land Utilisation Statistics 1956-57.]

57. In formulating an estimate of cultivable waste lands and working out a programme for their reclamation and settlement it would be necessary to know :

- (i) who owns them;
- (ii) whether they consist of large blocks or are held in scattered bits; and
- (iii) the extent to which they are actually culturable.

58. Most of this area is unoccupied, that is to say that it is not comprised in individual holdings. In the ryotwari areas, much of it belongs to the Government. In the intermediary areas, it has in most cases vested in the Government on the abolition of intermediaries. A few States have furnished information about the extent of cultivable waste land vesting in the Government :

TABLE 6

(In million acres)

| Name of the State | Total cul- turable waste land | Waste land vested in the Gov- ernment |
|--------------------------|----------------------------------------|------------------------------------------------|
| Andhra Pradesh | 4.5 | 3.5 |
| Bihar | 2.2 | 1.2 |
| Madras | 1.9 | 0.5 |
| Mysore | 1.6 | 1.0 |
| Orissa | 3.5 | 2.0 |
| Punjab | 1.8 | 0.3 |
| Rajasthan | 18.1 | 7.0 |

59. From the above data, it would appear that in Andhra Pradesh, Mysore and Orissa, the bulk of the culturable waste lands have vested in Government. In fact in Orissa and Mysore, the position may improve further as the abolition of intermediaries is completed. In Madras, Punjab and Rajasthan, however, the above data would seem to indicate that the bulk of the cultivable waste does not belong to Government. This would need to be explained. In case of Madras, it appears that the cultivable waste area shown in col. 2 refers to Madras prior to Re-organisation of States which included Malabar. An area of about 5 million acres of waste land in Malabar still belongs to individuals as intermediary abolition has not taken place there. If this is allowed for, the proportion of the total cultivable waste land vesting in the Government in the re-organised State of Madras would be considerable. In Rajasthan also, where the jagir and zamindari abolition is in the process of implementation, the extent of waste land vesting in Government would be considerably more on the completion of the process. In the Punjab also under the Village Common Lands Act, the bulk of the cultivable waste land has been transferred to the village panchayats. If the waste land vesting in the Government and the panchayats is taken together, it would represent a fairly large proportion of the total cultivable waste land.

60. The Waste Lands Survey and Reclamation Committee set up by the Ministry of Food & Agriculture has identified nearly a million acres of land in blocks of over 250 acres. It seems that the bulk of the waste lands are held in scattered bits. Unless a survey is

made of these lands also, it would be difficult to say to what extent they would be available for settlement and cultivation. There is a proposal for the survey of these lands by district authorities and it is possible that another 4 to 5 million acres may become available for distribution.

61. It is envisaged that during the Third Plan efforts would be made to settle about 7 lakh families of landless agricultural labourers on about 5 million acres comprising culturable wastelands, bhoodan and gramdan lands and surplus lands above the ceiling limit. The settlements will be made as far as possible, on cooperative basis for joint farming wherever sizeable blocks of land are available. The State Plans include a provision of Rs. 3.5 crores for schemes of re-settlement. Besides, there is also a provision of Rs. 8 crores among the Central schemes for the re-settlement of landless agricultural labourers out of which Rs. 1 crore would be set apart for financial assistance in gramdan villages. Funds may also be available for schemes of settlement out of the provisions for co-operative farming and the tac-cavi loans provided by the State Governments.

CONSOLIDATION OF HOLDINGS

62. Consolidation of holdings is a widely approved programme. Its advantages are well known. Consolidation facilitates improvement of land through irrigation as well as dry farming practices and provides opportunity for the replanning of individual holdings and the village abadi and for providing village roads and other amenities. During the first plan period appreciable progress was made only in the States of Gujarat, Madhya Pradesh, Maharashtra, Punjab, and Delhi. Schemes of consolidation of holdings were included in the Second Five Year Plans of several States which provided for consolidation of 305 lakh acres. A provision of Rs. 382 lakhs was made for the purpose. Up to March, 1960 about 230 lakh acres had been consolidated and the work was in progress in another 131 lakh acres. State-wise details are set out below :

TABLE 4

(Lakh acres)

| State/Union Territory | Area consolidated | | Work in Progress as on 31-3-60 |
|---------------------------------|-------------------|----------------|----------------------------------|
| | Upto 31-1-1956 | Upto 31-3-1960 | |
| Andhra Pradesh | Nil | Nil | 3.80 |
| Bihar | Nil | 0.12 | 1.46 |
| Bombay(Gujarat and Maharashtra) | 12.31 | 18.12 | 18.95 |
| Madhya Pradesh | 29.26 | 35.43 | 2.46 |
| Mysore | 2.74 | 7.98 | 5.45 |
| Punjab | 61.80 | 121.08 | 49.15 |
| Rajasthan | .. | 7.79 | 6.36 |
| Uttar Pradesh | 1.90 | 37.30 | 43.55 |
| Delhi | 2.04 | 2.04 | Scheme suspended since 31-8-1955 |
| Himachal Pradesh | 0.04 | 0.82 | 0.14 |
| TOTAL | 110.09 | 230.19 | 131.87 |

63. Apart from the States mentioned above, most other States are comparatively new to the work of consolidation of holdings and had, therefore, included very small targets in their Plans. The main limiting factors are lack of trained personnel and cost. With a view to making the best existing experience on the subject more generally available, two documents have been made available to the States, one of them being a study of methods and problems of consolidation of holdings based on work done in different parts of the country and the other, a memorandum which brings together a number of recommendations designed to assist States in drawing up programmes for consolidation of holdings. These documents are based on an extensive survey of experience gained and methods evolved for consolidation of holdings in different States.

64. With a view to assisting States to expand their programme for consolidation of holdings on the maximum scale administratively feasible and drawing up phased programme, the Ministry of Food and Agriculture provides assistance for consolidation of holdings as part of the Grow More Food programme. This amounts to 50% of the net expenses incurred by the State Government, subject to an over all maximum of 25 per cent of the gross expenditure on consolidation. Although in the early stages a degree of flexibility is visualised in different States, as a rule, not less than 50% of the gross cost is proposed to be recovered from the people.

65. In the Second Five Year Plan consolidation of holdings is regarded as an integral part of the agricultural production programme and of the programme of national extension and community projects. Since consolidation of holdings could not be undertaken during the second plan over the entire area, it was recommended to States that certain areas should receive prior attention. These would be (1) areas which are likely to come under irrigation, (2) areas which were already receiving irrigation or having secure rainfall, and (3) generally areas taken up as national extension and community projects. It was also suggested that compact areas like tehsils and taluks should be taken up at a time. To reduce the time taken up for consolidation operations proper to the minimum, it was recommended that the ordinary revenue staff should pay special attention to the maintenance of revenue records and might also take preliminary and preparatory steps needed before consolidation operations begin. The importance of securing the fullest participation of the people in consolidation of holdings as a village programme, as well as the need for adequate organisation and training were also stressed.

66. The programme for the Third Five Year Plan is to take up about 300 lakh acres for consolidation.

PREVENTION OF FRAGMENTATION

67. The problem of fragmentation has been reviewed in Chapter IX of the Planning Commission publication on Consolidation of Holdings (Methods and Problems) 1957. Fragmentation has three aspects, namely :—

- (1) diminution in the size of a holding i.e., the totality of the area held by a person;
- (2) scattering of area comprised in a holding into separate plots; and

- (3) diminution in the size of a plot comprised in a holding to an extent that it becomes unprofitable to cultivate it.

The diminution in the size of a holding generally results from partitions consequent upon inheritance and at times from transfers and leases also. It frequently happens that during partitions not only the total holding is subdivided into uneconomic units, but even individual plots get subdivided into fragments which are unprofitable to cultivate due to an anxiety on the part of the co-sharers to get a share of each class of land and particularly a share in a good quality plot. Un-regulated transfers and leases also result at times in tiny plots and scattering of holdings.

68. The measures required to deal with the problem of fragmentation may again be looked at in two ways, namely,

- (i) the curative aspect i.e. measures required to remedy the evils arising out of fragmentation ; and
- (ii) the preventive aspect i.e., measures necessary to prevent further fragmentation.

Consolidation of holdings is a curative measure mainly for the problem arising out of the scattering of holdings. The solution to the problem of diminutive holdings has to be sought in measures of co-operation in all its forms.

69. With regard to preventive measures, there has been a good deal of legislation during the past few years. Legislation has been enacted in the following States and Territories :

1. Andhra Pradesh (Telangana area);
2. Assam;
3. Bihar;
4. Gujarat;
5. Madhya Pradesh;
6. Maharashtra;
7. Mysore ;
8. Punjab;
9. Rajasthan;
10. Uttar Pradesh;
11. West Bengal ;
12. Delhi ;
13. Manipur;
14. Tripura.

The legislation has not yet been enforced in Andhra Pradesh, Assam, Orissa, Punjab, West Bengal, Manipur and Tripura.

70. Measures adopted in the States have been summarised in annexure XIV. The provisions differ from State to State. Broadly, the legislation provides for regulation of transfers, partitions and leases which would result in sub-division or fragmentation. Provision is also made that a fragment shall be transferred to the contiguous holder or cultivator so that it gets merged with the adjoining holding. The transactions in contravention of the provisions are

declared void. In some States there is also a provision for the imposition of a fine. Bills have been introduced in Andhra Pradesh and Mysore. The Himachal Pradesh Administration has reported that proposals are under consideration. Jammu & Kashmir, Kerala and Madras Governments have yet to formulate their proposals.

71. In 1956, an enquiry was made from State Governments to ascertain how far the provisions had been effective and whether any survey had been conducted into the socio-economic effects of the legislation. Bombay Government reported that provisions about the prevention of fragmentation were effective. Other State Governments have not undertaken any survey or enquiry into the effectiveness of the provisions. No survey or enquiry regarding socio-economic effects has been made.

72. As stated above, diminution in the size of holdings generally results from partitions consequent upon inheritance. Regulation of partitions is not free from difficulties which are administrative, economic as well as social. If in a suit for partition, the partition is disallowed on the ground that it would result in fragmentation, the co-sharers may avoid formal partition and sub-divide the lands informally, which would be administratively difficult to prevent. There would, thus, be considerable scope for evasion. If the holding is put up for sale or is transferred to one of the co-sharers, it may result in rendering one or more co-sharers landless. In an economy where employment facilities are not freely available, it may cause hardship. Besides, the co-sharer who purchases the holding, will have to find finances which may not be easy to obtain. It would be difficult for the State or a co-operative farm to divert scarce capital resources to finance such partitions. Even if the State or a co-operative were to provide loans, a small holder is not likely to have enough surplus to re-pay the loan. It would seem desirable, therefore, to proceed cautiously in the regulation of partitions.

73. It should be comparatively easier to regulate partitions so as to avoid scattering of a holding and diminution of plots into unprofitable units.

74. Regulation of transfers would also be comparatively easier particularly in areas where facilities for provision of institutional credit for developmental purposes can be made available.

75. Regulation of leases should not present any serious problem. It could be provided in the law that a lease shall be made only to the cultivator of a contiguous plot; and in view of the great demand for land contiguous holders would see to it that the provision is enforced in practice.

ANNEXURE I

SUMMARY OF PROPOSALS FOR LAND REFORM IN THE SECOND FIVE YEAR PLAN

ABOLITION OF INTERMEDIARIES

1. Intermediaries have been almost entirely abolished though a few small pockets remain where further action for abolition is necessary.

2. It is necessary to speed up the payment of compensation, particularly to small intermediaries and to widows and minors.

REGULATION OF RENT

3. It is necessary that, as early as possible, the rents should be brought down to the level recommended in the First Plan, namely, one-fourth or one-fifth of the produce. It would also be desirable to provide for the commutation of produce rents into cash rents. It may also be useful to fix the maximum rent as a multiple of land revenue.

SECURITY OF TENURE

Resumption for Personal cultivation :

4. It is common practice to provide in the legislation that persons serving in the armed forces, unmarried women, widows, minors and persons suffering from mental or physical infirmities should be permitted to lease out land and should have the right to resume for personal cultivation when the disability ceases. It is of highest importance that persons serving in the defence forces, whether owners or tenants, should have a feeling of security and full assurance that their interests would not be adversely affected. They should have the right to lease their land and in either case their existing rights should remain intact. On retirement or discharge, they should have unrestricted rights to resume land for personal cultivation from the tenants or sub-tenants as the case may be.

5. It is desirable that a small owner (*i.e.*, a person who owns less than a family holding) wishing to resume land for personal cultivation should be permitted to do so. An owner, who owns less than a basic holding, may resume his entire land for personal cultivation. For practical purposes a family holding may be presumed to consist of three basic holdings. A person who holds land exceeding a basic holding but less than a family holding may be permitted to resume for personal cultivation one-half of the area held by the tenant, but in no event less than a basic holding. Where, as a result of resumption, tenants are left without any land or with areas smaller than a basic holding, the suggestion is that the Government should endeavour to find land for them so as to bring the tenancy to the level of a basic holding.

6. In the case of owners, whose holdings fall between one family holding and the limit prescribed for personal cultivation, the main consideration is that a minimum area should always be left with the tenants. It is proposed that :

- (i) where the land owner has under his personal cultivation land which exceeds a family holding but is less than the ceiling limit, he may have the right to resume for personal cultivation, provided his tenant is left with a family holding and the total area obtained by the owner together with the land already under his personal cultivation does not exceed the ceiling ;
- (ii) if the land owner has less than a family holding under his personal cultivation, he may be allowed to resume one-half of the tenant's holding or an area which, together with land under his personal cultivation makes up a family holding whichever is less, provided that the tenant is left with not less than a basic holding.

7. It is desirable that the area which the landowner is entitled to resume should be demarcated as speedily as possible. The land-owner should apply for such demarcation within a reasonable period to be prescribed, say, six months and the demarcation of the resumable and non-resumable areas should be made by the revenue authorities in an equitable manner.

8. Except in the case of small owners, the right of resumption should be exercised within a period of five years.

Meaning of Personal Cultivation :

9. The expression "personal cultivation" should be defined to include the entire risk of cultivation being borne by the owner and personal supervision being exercised by the owner or by a member of his family. In order to be effective personal supervision should be accompanied by residence during the greater part of the agricultural season in the village in which the land is situated or a nearby village. When land is to be resumed for personal cultivation, the desirability of providing also for the performance of minimum labour by the owner may be considered. If the land is not brought under personal cultivation or is let out within a period to be specified the ejected tenants should have the right of restoration.

10. Existing legislation should be re-examined in terms of the definition of "personal cultivation" set out above, and suitable action taken to confer tenancy rights on individuals who have in the past been treated merely as labourers or as "partners in cultivation".

Voluntary Surrenders :

11. During the past few years, there have been instances in some States of large scale ejection of tenants and of "voluntary surrenders", of tenancies which are open to doubt as *bona fide* transactions. Action should be taken to stay ejection of tenants and sub-tenants except on grounds of non-payment of rent or misuse of land. Ejections of tenants and "surrenders" which may have taken place during say the past 3 years should be reviewed with a view to restoration, wherever circumstances justify such a course. In order to discourage "voluntary surrenders" of land under undue pressure, for the

future, surrender of land by a tenant should not be regarded as valid unless it is duly registered and the landlord should have the right to take possession of land only to the extent of his right of resumption.

*Rights of ownership
for tenants :*

12. It is desirable to take steps to bring all tenants of non-resumable area into direct relationship with the State. Once rents are brought down to reasonable levels each State should have a programme for converting such tenants into owners. Compensation may be paid in the form of bonds redeemable over, say, a period of 20 years. The State Government should, besides land revenue recover instalments of compensation from the tenants. If the burden of payment falling upon the tenant is not to be too excessive, it will be necessary to ensure that the aggregate of the annual payment in the form of land revenue and the instalment of compensation does not exceed fair rent i.e., 1/4th or 1/5th of the total produce.

CEILING ON LAND HOLDINGS

*Distribution &
Size of holdings :*

13. In carrying out any large scheme of land reform differences in quality of land have to be reduced to some common measure. It may be possible at some future date to undertake investigations leading to the evolution of 'standard acre' for the entire country to which State or regional 'standard acres', can be related for purposes of comparison.

*Ceiling on
Future acquisition :*

14. The imposition of a ceiling has two aspects, namely, ceiling on future acquisitions and ceiling on existing holdings. Ceiling on future acquisitions has been fixed in a number of States. In other States, the imposition of a ceiling on future acquisitions needs to be expedited.

*Ceiling on
existing holdings :*

15. It is proposed that during the Second Plan, steps should be taken in each State to impose ceilings on existing agricultural holdings. The ceilings would apply to owned lands (including land under permanent and heritable rights) held under personal cultivation, tenants being enabled to acquire rights of ownership.

Level of Ceiling :

16. It will be convenient to place the ceiling at about three family holdings.

According to its social conditions and other relevant factors, each State may determine whether the ceiling should apply to individual holding or to holdings of families and, especially, in the latter case, the basis on which the size of the family should be allowed for in the application of the ceiling. For instance, a Committee of the Panel on

Land Reforms was of the view that where the number of the members of a family is larger than five, the ceiling of the family holding may be raised to a maximum of six family holdings, the expression 'family' being deemed to include husband, wife, and dependent, sons, daughters and grand-children.

17. A family holding may be considered from two aspects, namely, (a) as an operational unit, and (b) as an area of land which can yield a certain average income. It is suggested that each State may specify according to the conditions of different regions, classes of soil, irrigation etc., the area of land which may be declared to be a family holding. The practical application of the concept of family holding is not without its difficulties and it may be of value to States if a small group of experts with practical experience of settlement and revenue work could study the subject further.

Malafide transfers :

18. It is necessary that each State should give urgent attention to the effect of malafide transfers made during the past two or three years with the intention of circumventing ceilings on holdings and should consider action needed to prevent such transfers in the immediate future. Transfers of land which have already taken place should be reviewed. In respect of lands, if any, retained by a transferor the question should be considered whether the ceiling should be determined as if the transfer had not taken place. In respect of future transfers also States have to take steps to prevent transactions of a malafide character.

Compensation :

19. The compensation to be paid to owners whose lands are acquired may be determined either as specified amounts related to different classes of land or in terms of a multiple of land revenue or in such other manner as may be considered feasible. The compensation could be paid in compensatory bonds redeemable over a period of say, 20 years. As regards the price to be recovered from persons to whom lands are allotted it would be desirable to ensure that the total annual burden falling on the allottees does not exceed the fair rent (i.e. 1/4th or 1/5th of the gross produce). It is envisaged that the aggregate amount of compensation and interest would not throw any additional liability on State Governments.

Exemptions :

20. The following exemptions have been suggested :—
 - (1) tea, coffee and rubber plantations ;
 - (2) orchards where they constitute reasonably compact areas ;
 - (3) specialised farms engaged in cattle breeding, dairying and wool raising etc ;
 - (4) sugarcane farms operated by sugar factories ;
 - (5) efficiently managed farms which consist of compact blocks on which heavy investment or permanent structural improvements have been made and whose break-up is likely to lead to a fall in production.

In the nature of things these are general suggestions which should be adapted to the needs and conditions of each State. For instance in those parts of the country where culturable waste lands are available and a sufficient number of cultivators are not always easy to obtain, a ceiling may not be necessary at this stage or may be set at a higher level than that envisaged here. Similarly there may be areas in which the level of the ceiling may be lower because of the high density of population.

Settlement on land :

21. In the allotment of surplus land, tenants displaced as a result of resumption of land for personal cultivation, farmers with uneconomic holdings and landless workers should receive preference.

22. Settlements should be made, as far as possible, on cooperative lines. Farmers with uneconomic holdings below the basic level should be admitted into cooperatives if they also agree to pool their lands. In such cases, the tenant should not have the right to claim partition of the surplus lands allotted to cooperatives.

23. In each State after the data relating to Census of Land Holdings and Cultivation have been studied and the areas likely to become available assessed, detailed scheme for resettlement on land of agricultural workers should be drawn up. Bhoojan lands to the extent they are made available may also be brought into the schemes for the settlement of surplus lands.

24. While special personnel for organising the resettlement of landless workers will be required the resources needed for development should be provided from agricultural, national extension and community development, village industry and other programmes for which provision has been made in the Plan. The extent to which such resources will be available will, however, have to be further examined.

25. It would be desirable to set up in each State, special boards, including non-official members, for advising on resettlement schemes for landless workers and reviewing progress from time to time. It would also be useful to have a similar board at the national level so that questions of policy and organisation and the progress of resettlement schemes in the country as a whole can be reviewed.

CONSOLIDATION OF HOLDINGS

26. While there is growing interest in almost all States for programmes of consolidation of holdings, much more needs to be done. In national extension and community project areas, consolidation of holdings should be undertaken as a task of primary importance in the agricultural programme.

PREVENTION OF FRAGMENTATION

27. Provision against the creation of fragments or their further splitting up by transfer or partition and regulation of the transfer of existing fragments are essential in the interest of agricultural development.

ANNEXURE II

ABOLITION OF INTERMEDIARIES

| State | Present position |
|-------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <i>Andhra Pradesh</i> | In the Andhra area legislation has been enacted for abolition of intermediary tenures. Zamindari and pre-1936 inam estates have been abolished. Acquisition of post-1936 inam estates is in progress. Out of 1062 such estates 725 have been taken over. Steps are also being taken for conversion of minor inams into ryotwari holdings; enquiries have been initiated in 8 lakh minor inams and pattas have been issued in some cases. |
| | In the Telangana area, jagirs have been abolished. Legislation for abolition of inams was enacted in 1954. It was, however, not implemented. |
| 2. <i>Assam</i> | Legislation has been enacted for abolition of permanently settled estates. Acquisition of rights of the intermediaries has been completed mostly in Goalpara district. In Karimganj sub-division it is in progress. Legislation has been enacted for acquisition of lands belonging to religious and charitable institutions of public nature. |
| 3. <i>Bihar</i> | Intermediaries have been abolished. |
| 4. <i>Gujarat</i> | The abolition of non-ryotwari tenures has been completed with the exception of religious and charitable inams. |
| 5. <i>Jammu & Kashmir</i> | Legislation for abolition of intermediary interests in land held by occupancy tenants and inferior owners is under consideration of the State Government. A ceiling has, however, been imposed and no intermediary holds more than 22½ acres. |
| 6. <i>Kerala</i> | Legislation for abolition of Jenmi tenure in the Travancore area has been enacted. Edavagai tenure has been abolished. |
| 7. <i>Madhya Pradesh</i> | Intermediary tenures have generally been abolished. In 1959, legislation was enacted to abolish muafis and inams in the former Madhya Bharat area. |
| 8. <i>Madras</i> | Intermediaries have been abolished with the exception of post-1936 inams and minor inams, for the abolition of which legislation has been promoted. Out of 4,779 zamindari and pre-1936 inam estates, only 6 remain to be taken over. The estimated area to which Abolition Act applies is 69,50,400 acres. Certain intermediary tenures in Travancore-Cochin area now transferred to Madras are also yet to be abolished. |

| State | Present position |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9. Maharashtra | Abolition of non-ryotwari tenures has been completed with the exception of certain inams. |
| 10. Mysore | In the area of the former Mysore State, legislation for the abolition of personal and miscellaneous inams has been under implementation. 1,776 out of 2,103 such inams have vested in Government. 243 out of 326 religious and charitable inams have also vested in Government with effect from 1st April, 1959. In the Karnataka area, jagirs have been resumed. Legislation enacted for abolition of inams is under implementation. |
| 11. Orissa | Superior rights in permanently settled and temporarily settled zamindari estates have been abolished. Abolition of inams and subordinate tenures of intermediary nature is in progress. |
| 12. Punjab | Intermediary tenures like superior owners and landlords of lands held by occupancy tenants have been abolished and inferior owners and occupancy tenants have been made owners of their lands. |
| 13. Rajasthan | Intermediary tenures in Rajasthan were : (i) jagirs and (ii) zamindari and biswedari. Legislation for resumption of jagirs was enacted in 1952 and it has been implemented. Legislation for abolition of zamindari and biswedari tenures was enacted in 1959. Its implementation is in progress. |
| 14. Uttar Pradesh | Legislation for the abolition of intermediaries has been enacted for the entire State. However, implementation of the legislation for abolition of intermediaries has yet to be completed in the hilly areas of Kumaon and Uttarakhand Division, Pargana Jaunsar Bawar in Dehra Dun District and the urban areas in the State. |
| 15. West Bengal | All intermediary interests were acquired by April 1955. |
| 16. Tripura | The Tripura Land Revenue and Land Reforms Act, 1960 provides for abolition of intermediaries. |

ANNEXURE III

REGULATION OF RENTS

Andhra Pradesh

Andhra area

Rent is not to exceed 50% of the gross produce for irrigated lands (28:1/3% of the gross produce for lands irrigated by baling) and 45% of the produce for dry lands.

Telangana area

Rent is not to exceed 1/4th of the gross produce for irrigated lands (other than well irrigated lands) and 1/5th in other cases or 3 to 5 times the land revenue according to class of soil, whichever is less.

Bill for entire State

The maximum rate of rent shall be—

- (i) in case of irrigable lands (other than those irrigable by baling) 25% of gross produce ;
- (ii) in case of unirrigable lands and lands irrigable by baling— 20% of gross produce.

Assam

The crop share payable by an Adhiar is not to exceed 1/5th of the produce or its value if the share-cropper supplies plough, cattle etc. and 1/4th or its value if the landowner provides plough, cattle etc.

As regards rents payable by under-raiyats where it is paid in cash, it is not to exceed by more than 50% of the rent payable by the landowner in the temporarily settled areas and 100% in the permanently settled areas. In temporarily settled districts, the maximum rent has also been fixed at 1/4th of the gross produce for produce rents and 3 times the land revenue for cash rents.

Bihar

Produce rent: $\frac{1}{4}$ th of the gross produce (without a share in the straw).

Cash rent: not to exceed by more than 50% of the rent payable by the landowner.

Gujarat

Former Bombay area

The maximum rent is not to exceed 1/6th of the gross produce or 3 to 5 times the land revenue whichever is less.

Kutch area

The maximum rent is not to exceed 1/6th of the gross produce or 4 times the land revenue or the existing customary rent whichever is less.

Saurashtra area

Not regulated.

Jammu & Kashmir

In the case of owners holding above $12\frac{1}{2}$ acres, $1/4$ th of the produce for wet lands and $1/3$ rd for dry lands ; in the case of small owners, $1/2$ of the produce.

Kerala

The Kerala Agrarian Relations Act, 1960 provides for fixation of fair rents within specified limits. The limits for the main categories are:

- (i) *Lands converted into paddy lands by tenant's labour.*—Between $1/12$ th and $1/6$ th of the gross produce ;
- (ii) *Lands not converted into paddy lands by tenant's labour.*—Between $1/6$ th and $1/4$ th of the gross produce.
- (iii) *Cocoanut.*—(a) In case tenant has planted trees—Between $1/16$ th and $1/12$ th of the gross produce.
(b) In other cases, $1/4$ th to $1/3$ rd of the gross produce.
- (iv) *Paramba (dry lands).*—Between $1/16$ th to $1/8$ th of the gross produce.

Madhya Pradesh

4 times the land revenue for irrigated lands ; 3 times the land revenue for bandh land in Vindhya Pradesh and 2 times the land revenue in other cases.

Madras

40% of the produce for irrigated lands ; 35% where irrigation is supplemented by lift irrigation and $33\frac{1}{3}\%$ in other cases.

Maharashtra

$1/6$ th of the gross produce or 2 to 5 times the land revenue whichever is less.

Mysore

Rent is not to exceed $1/4$ th of the gross produce for lands irrigated from tanks or river channel and $1/5$ th in other cases or value thereof.

Orissa

Rent is not to exceed $1/4$ th of the gross produce or value thereof except in cases where the landlord meets the whole or any part of cost of cultivation.

Punjab

$1/3$ rd of the gross produce.

Rajasthan

$1/6$ th of the gross produce and in case of cash rents, twice the assessment.

Uttar Pradesh

In applications for commutation of produce rent into cash rent, the rent is to be fixed at a rate not exceeding twice the hereditary rent. Produce rent is not regulated.

(Future letting of land has been prohibited except in the case of disabled persons. The above provisions apply to tenants of disabled persons.)

West Bengal

The share of the produce payable by a share-cropper is not to exceed 50% of the produce if the landlord contributes the cost of cultivation and 40% if he does not. Other forms of tenancies are not permitted.

Delhi

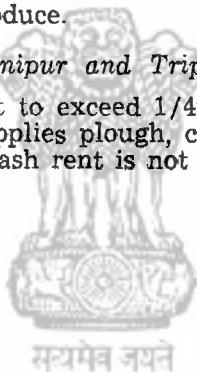
1/5th of the gross produce, or 4 times the land revenue, whichever is less.

Himachal Pradesh

1/4th of the gross produce.

Manipur and Tripura

Crop share rent is not to exceed 1/4th of the produce or value thereof if the landlord supplies plough, cattle etc., and 1/5th of the produce in other cases. Cash rent is not to exceed 4 times the land revenue.



ANNEXURE IV
SECURITY OF TENURE

Andhra Pradesh

Andhra area

In the former Andhra area, ejection of tenants has been stayed. Tenants in possession at the commencement of the Tenancy Act, 1956, were given a minimum term of 3 years from June, 1, 1956. The term has been extended upto 31st May, 1963. Tenants admitted after the commencement of the Act of 1956 have a minimum term of 6 years.

Telangana area

In the case of Telangana area, a land holder is entitled to resume from protected tenants (*i.e.* tenants with 6 years' possession on specified dates or tenants whose landlords held more than 3 family holdings) lands upto 3 family holdings. He will not, however, be entitled to resume more than a family holding unless the income by the cultivation of such land will be main source of his income for his maintenance. A family holding varies between 4 to 60 acres. The resumption is further subject to the condition that a protected tenant will retain an area equal to a basic holding (*i.e.* one-third of the family holding) or half his land whichever is less. An owner owing a basic holding or less is, however, entitled to resume the entire area.

A landlord was to reserve the land he wanted to resume for personal cultivation before 12th September 1957 and apply for resumption before 4th February, 1959. Thus, now all the lands held by protected tenants are non-resumable.

If a landlord, after terminating the tenancy does not cultivate the land personally within one year of resumption or after having commenced such cultivation, discontinues the same within 10 years, the tenants will be entitled to restoration.

The above provisions do not apply to ordinary tenants. Tenants admitted within 3 years of the commencement of the Hyderabad Tenancy Act, 1950 were given a non-renewable term of 10 years. Tenants admitted after 3 years have a renewable term of 5 years unless the landlord requires the land for personal cultivation at the end of a term.

Bill for entire State

Tenants holding lands at the commencement of the Act will be classified into two categories, namely—

- (i) protected tenants ; and
- (ii) ordinary tenants.

A person is deemed to be a protected tenant in case—

- (a) he is in continuous possession of the same land for a period of not less than 6 years on April 1, 1960 ;

- (b) he holds land on April 1, 1960 under a landholder owning more than 3 family holdings ; or
- (c) he has already acquired the status of protected tenant under the provisions of the Hyderabad Act in Telengana area.

Tenants not falling in the above categories will be regarded as ordinary tenants.

(2) An ordinary tenant is not liable to ejectment before May 31, 1963. His lease is subject to renewal for further terms of 6 years subject to the land holder's right to resume land on grounds of personal cultivation upto ceiling area at the end of each term. There is no provision to leave a minimum area with the tenant.

(3) A protected tenant is given fixity of tenure subject to the landlord's right to resume land on grounds of personal cultivation. Restrictions have been imposed on resumption from protected tenants on the lines of the provisions in the Hyderabad Act applicable to Telengana area.

Assam

An under-raiyat in Goalpara district acquires a right of occupancy if he continues to be in possession for 12 years.

A landlord can resume from under-raiyats who have not acquired the right of occupancy and from share-croppers (Adhiars) on grounds of personal cultivation to a maximum area of 33-1/3 acres subject to the condition that each under-raiyat or the adhiar is left with 3-1/3 acres, until he has been allotted alternative land of equivalent value in the locality.

The right of resumption can be exercised within 5 years of the commencement of the Act. The period will expire on 18th February, 1963. There is, however, no time limit for reservation. Further, an ejected tenant or share-cropper will be entitled to restoration if the land is not brought under personal cultivation within one year of resumption or the landlord sub-lets it within two years.

Bihar

Under the Bihar Tenancy Act, 1885 right of occupancy accrues to under-raiyats (sub-tenants and share-croppers) after 12 years of continuous possession. Non-occupancy under-raiyats holding land on written leases are tenants-at-will and are liable to ejectment on the expiry of the term of lease, while those holding land on oral leases are not liable to ejectment except on grounds of non-payment of rent or improper use of land.

The Bihar Ceiling Act includes a special provision permitting resumption of lands to landholders who are subject to ceiling. Such land holders will be entitled to resume upto the ceiling limit the land held by an under-raiyat in excess of five acres. If the under-raiyat holds less than 10 acres, the landholder is entitled to resume half the area subject, however, to the condition that a minimum area of one acre will be left with the under-raiyat including the area owned by him, if any. As regards under-raiyats holding land from persons who are not subject to ceiling, the provisions of the Tenancy Act of 1885 will continue to be applicable.

Applications for resumption are to be made within 3 months from final determination of ceiling area. (The landlord is to select his ceiling area within 2 years from the commencement of the Act) The tenant will be liable to restoration if the landlord does not bring under personal cultivation the resumed land within one year.

Gujarat

Former Bombay area

Permanent tenants got complete security of tenure. Other tenants got security subject to landlord's right to resume land not exceeding 3 economic holdings (12 to 48 acres) on the condition that every tenant retains half the area leased. The law has been amended recently to enable small holders who have not been able to exercise the right of resumption, to do so by 31-3-1962. A small holder means a person who has leased land not exceeding one economic holding and whose total income does not exceed Rs. 1,500/-. He can resume half the area leased to a tenant in all cases. If he is not cultivating any other land personally or is cultivating other land which is less than half an economic holding and the tenant is cultivating other land exceeding half an economic holding, the landlord can resume the entire leased area. (An economic holding means 4 acres of irrigated land, 8 acres of paddy land or 16 acres of dry crop land.)

A landlord was required to give notice for resumption to the tenant on or before 31st December 1956 and apply to the Mamlatdar for actual possession on or before 31st March, 1957. If the landlord fails to cultivate personally or use the land for non-agricultural purposes within one year of resumption or ceases to do so within 12 years, the tenant will be entitled to restoration.

The resumption is further subject to the conditions that (i) the income by the cultivation of the land of which he is entitled to take possession is the principal source of income for his maintenance : and (2) the land leased stood in his name or of any of his ancestors on January 1, 1952.

Kutch area

- (a) A landlord owning and cultivating personally less than 1/3rd of family holding can resume the entire area leased (family holding varies from 12 to 45 acres).
- (b) In other cases, a landlord can resume land upto 3 family holding after leaving half the leased land with the tenant.

A landlord could resume the land within a period of 2 years of the commencement of the Act i.e., by 30th December 1960. The period has expired. The tenant will be entitled to restoration, if the landlord does not cultivate personally within one year or ceases to do so within 12 years.

Saurashtra area

Sub-leasing of agricultural land was prohibited in 1953. The existing tenants were given no rights.

Jammu & Kashmir

The limit of resumption is 2 acres of wet land or 4 acres of dry land in Kashmir province and 4 acres of wet land or 6 acres of dry land in Jammu province. An owner whose holding does not exceed 4 acres of wet land or 6 acres of dry land in Kashmir province and 6 acres of wet land or 8 acres of dry land in Jammu province will be

permitted freely to resume land upto the above limit of resumption. The owner whose holding exceeds these areas will, however, be permitted to resume only such lands as are held by tenants in excess of the limit of resumption. The owners were required to apply for resumption within 6 months of the commencement of the amendment Act of 1955. The period has expired. If the resumed land is not brought under cultivation within 6 months to one year, the tenant will be entitled to restoration.

Kerala

The Kerala Agrarian Relations Act, 1960 provides for fixity of tenure for all tenants and subject to the landlord's right to resume land upto 5 acres of double crop paddy land for personal cultivation subject to the conditions indicated below :—

- (i) No resumption is permitted to a person who owns more than 15 acres of double crop paddy land (or equivalent area of other lands upto $37\frac{1}{2}$ acres) even if he has no land under his personal cultivation.
- (ii) A person who owns more than 10 acres of double crop paddy land but not exceeding 15, may resume half the area held by a tenant in excess of 15 acres of double crop paddy land.
- (iii) A person who owns 10 acres of double crop paddy land or less may, in addition, resume half the area leased to share-croppers.

There are special provisions for small holders. A small holder is defined as the person who holds as owner or in any other capacity not more than 10 and possesses not more than 5 acres of double crop paddy land. Any transfer or partition of land made after December 18, 1957 (the date of introduction of the Bill) will not be taken into account in determining whether the person is a small holder or not. In other words these special provisions will be applicable to a person who was a small holder on 18-12-1957 and continues to be so at the commencement of the Act. A small holder can resume land, not only from share-croppers, but from other tenants as well upto half the area leased. Resumption is not, however, permitted from a tenant to whom fixity of tenure has already accrued under the existing law, as in Malabar and Cochin.

Applications for resumption are to be made within one year of the commencement of the Act, that is, upto 15-2-1962.

Madhya Pradesh

A landholder can resume land from his tenants on ground of personal cultivation subject to the condition that (i) the total area of the land which the landholder can resume, including the land already held under personal cultivation, does not exceed 25 acres of unirrigated land or equivalent area ; and (ii) the tenant is left with 10 acres of unirrigated land if the land has been under the possession of the tenant for a period of less than 5 years and 25 acres of unirrigated land if it has been in his possession for a period of more than 5 years. (One acre of irrigated land is equal to 2 acres of unirrigated land.)

The landlord was to make an application to the sub-divisional officer for resumption within one year of the coming into force of the Code, i.e., by October 1, 1960. The resumption shall take effect from the agricultural year next following the date of the order. After resuming, if the landlord fails to cultivate personally during the agricultural year next following the date of resumption, the tenant will be entitled to restoration.

Madras

Tenants have been given interim protection from ejection upto 26th September, 1963. A landholder who owned $13\frac{1}{2}$ acres of wet land or less was, however, permitted to resume for personal cultivation half the area leased, subject to a maximum of 5 acres of wet land.

There is no provision for a time limit for resumption.

Maharashtra

Former Bombay area

Permanent tenants got complete security of tenure. Other tenants got security subject to landlord's right to resume land not exceeding 3 economic holdings (12 to 48 acres) on the condition that every tenant retains half the area leased. Other conditions mentioned under Gujarat are also applicable to this area. A landlord was required to give notice for resumption to the tenant on or before 31st December 1956 and apply to the Mamlatdar for actual possession on or before 31st March, 1957. If the land lord fails to cultivate personally or use the land for non-agricultural purposes within one year of resumption or ceases to do so within 12 years, the tenant will be entitled to restoration.

The law has been amended recently to enable a small holder who has not exercised the right of resumption, to do so by March 31, 1962. A small holder means a person who has leased land not exceeding one economic holding (i.e. 4 acres of irrigated land, 8 acres of paddy land or 16 acres of dry land) and whose income does not exceed Rs. 1,500 per annum. He will be entitled to terminate the tenancy and take possession of so much land as would result in both landlord and tenant holding thereafter an equal area for personal cultivation.

Vidarbha region

A landlord has been permitted to resume land for personal cultivation. The limit of resumption is three family holdings (a family holding varies from 7 to 40 acres). Resumption is subject to the following conditions :

(a) where the total holding of a landlord is equal to or less than $1/3$ rd of a family holding, the landlord may resume for personal cultivation the entire land leased by him ;

(b) where the total holding of a landlord exceeds $1/3$ rd of a family holding but does not exceed a family holding, the landlord may resume $1/3$ rd of a family holding or half of the land leased by him, whichever is more ;

(c) where the total holding of a landlord exceeds a family holding he may resume half the area leased by him ;

(d) the income by the cultivation of the land of which he is entitled to take possession is the principal source of income for his maintenance. This condition does not, however, apply to a landlord whose total holding does not exceed a family holding and whose principal occupation is agriculture;

(e) a land holder holding land upto a family holding can resume the entire holding if the tenancy was created on or after 1st April, 1957 and was terminable but for the Vidarbha Ordinance of 1957.

In case of (e) above, however, the application for possession of land could be made within one year from the commencement of amendment Act of 1960.

The right of resumption expired on March 31, 1961. A small owner who holds land not exceeding a family holding and who earns his livelihood principally by agriculture can resume upto March 31, 1963, the date from which the tenants of non-resumable area will be deemed to be owners thereof.

Marathwada area

The tenancy provisions applicable to Telangana area are also in force in Marathwada area with some modifications. The provisions applicable to protected tenants have also been made applicable to ordinary tenants. The notice for reservation to such tenant was to be given on or before 31st December, 1958. An application for actual possession was to be made to the Tehsildar on or before 31st March, 1959. The tenant will be entitled to restoration if the landlord does not cultivate the land within one year or ceases to do so within 10 years.

Mysore

Interim measures were enacted in 1957 to maintain the *status quo*. The provisions in the existing laws in Bombay and Hyderabad areas of the State, regarding ejection of tenants in exercise of the landlord's right of resumption and purchase of ownership by tenants have been stayed. In former Mysore area, the term of tenancies has been extended further upto June 30, 1962. In Madras area, ejectments have been stayed upto June 30, 1962. In Coorg area also, ejectments have been stayed.

The Mysore Land Reforms Act provides for security of tenure subject to the land holder's right to resume land for personal cultivation. The limit of resumption is 3 family holdings. This is subject to the condition that the tenant is left with half the area leased. A protected tenant i.e. a tenant in continuous possession for 12 years is, however, to be left with a minimum area of one standard acre (1 to 8 ordinary acres) Permanent tenant (mulgenidars) are not evitable on grounds of resumption for personal cultivation.

In the Bombay or Hyderabad areas if a landlord has already resumed some land under the legislation applicable to those areas, he will not be entitled to resume any land under the Mysore Land Reforms Act.

A landlord wishing to resume land has to apply for reservation of the resumable land within one year of the notified date. Application for actual possession is to be made within 12 months of reservation. There is a special provision for small holders, widows or unmarried women. If a small holder, a widow or an unmarried woman declares within the specified period his or her intention not to resume any land from the tenant, the tenant shall not have the right to acquire ownership of any portion of his holding. Such a landholder can, however, resume half the area for personal cultivation after a period of 5 years with the previous sanction of the Tribunal.

Orissa

Ejectment of tenants of persons holding more than 33 acres has been stayed since 1948. As regards tenants of persons holding 33 acres or less, their ejectment was stayed in 1955 under the Tenants' Relief Act but the landowners were permitted to resume land so as to make up 7 standard acres under their personal cultivation. The lands to be resumed were to be selected before July 15, 1955 and actually resumed before March 31, 1956.

The Orissa Land Reforms Act which has yet to be enforced permits further resumption of 3/4th of the leased area if the landlord holds 15 standard acres (upto 60 ordinary acres) or less and 2/3rd the area if he holds more than 15 standard acres. The landlord is required to give notice for resumption within three months of a date to be notified in this behalf. The tenant is entitled to restoration if the landlord does not cultivate the resumed land within one year of taking possession thereof.

An Amendment Bill has been introduced which provides for some major modifications in the provisions of the Land Reforms Act. Pending enactment of the Amendment Bill, the stay of ejectment has been continued.

Punjab

The permissible area, that is the limit of resumption is 30 standard acres (for displaced persons, it is 50 standard acres in Punjab and 40 standard acres in Pepsu). Resumption is further subject to the following conditions, namely, in the Punjab area, each tenant is entitled to retain, (a) where he holds land from a person who owns land exceeding the above limits, the entire area, and (b) in other cases, upto 5 standard acres, until alternative land is provided by the State Government. In Pepsu area, no such distinction is made and a tenant is entitled to retain upto 5 standard acres in all cases. In Pepsu a further provision has been included that a tenant in continuous possession of land for 12 years shall not be liable to ejectment from an area of 15 standard acres.

In both former Punjab and Pepsu areas, landowners were required to reserve land within 6 months of the commencement of the Act. The period has expired. No period has, however, been provided for actual resumption. In Pepsu area, the landowner is not required to cultivate the resumed land personally. In the Punjab, a distinction is made between landowners owning more than the prescribed area and others. In the former case if an owner fails to cultivate the land within six months or admits a new tenant within the next three years, the land will be declared surplus. This condition does not apply in the case of other owners. However, the condition that an area upto five standard acres shall be retained by the tenant will become applicable in their case if the land is let out again.

Rajasthan

All tenants (ghair-khatedar tenants, sub-tenants and tenants of khudkasht) have been given full security of tenure in respect of a minimum area yielding a net income of Rs. 1,200/-. The minimum area varies between 15.6 acres in commanded area of Ganganagar to 125 acres in Jaisalmer. The land held by a tenant in excess of the

minimum area can be resumed by the landholder on application to be made within three years from the commencement of the Act (or within three years of the termination of the disability, whichever is later). The time limit of three years expired on 14th October, 1958. A provision has also been made for the restoration of a tenant on application, if the landlord fails to cultivate the resumed land personally for a period of two years after resumption.

Uttar Pradesh

All tenants and sub-tenants have been brought into direct relationship with the State without any payment of compensation. No resumption was permitted to owners on grounds of personal cultivation. Leases in future are not permitted except by persons suffering from a disability. However, cultivation through 'Sahjis' i.e., partnership in cultivation is permitted.

West Bengal

All under-raiyats have been brought into direct contact with the State. The raiyats were not permitted to resume any land from under-raiyats. Resumption is, however, permissible from bargadars (share-croppers). An owner who owns less than 7-1/2 acres is permitted to resume the entire land from a bargadar. An owner who owns land exceeding 7-1/2 acres is, however, entitled to resume only two-thirds of the area. There is no provision for demarcation of resumable area or time limit for resumption. There is also no provision for restoration of bargadar if the landlord fails to cultivate the resumed land personally. In such cases land will be sold to the bargadar or acquired by State.

Delhi

All tenants and sub-tenants have been brought into direct relationship with the State (except tenants of disabled persons) without permitting any right of resumption to the owners.

Himachal Pradesh

Resumption of land for personal cultivation is permitted only to such owners who hold land assessed to Rs. 125 or less. The limit of resumption has been fixed at 5 acres and each tenant is entitled to retain three-fourths of his tenancy land. The landlord was required to specify the resumable land before 1st March, 1956 and start ejectment proceedings before 30th September, 1956. If the landlord does not bring the land under personal cultivation within one year of such ejection, the tenant shall be entitled to restoration.

Manipur

Tenants including share-croppers have security of tenure subject to the owner's right to resume land for personal cultivation. The provisions for resumption follow the recommendations in the Plan. The limit on resumption is 25 acres i.e. the ceiling area. A person who owns a basic holding or less can resume the entire area owned by him. A person who owns more than a basic holding but not exceeding a family holding, may resume one half of the leased area or an area as will make up a basic holding under his personal cultivation, whichever is greater. A person who owns more than a family holding and is cultivating less than a family holding, may resume

half the area leased to a tenant so as to make up a family holding under his personal cultivation : provided the tenant is left with not less than a basic holding. The landowner will, however, have a prior right to make up at least a basic holding. If the landowner is cultivating more than a family holding, he can resume only such land as is held by a tenant in excess of a family holding. A basic holding is equal to 2·5 acres and a family holding, 7·5 acres.

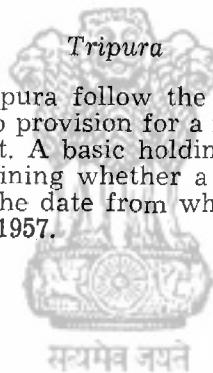
In determining whether a person holds a basic holding or a family holding or more, any transfer made after March 6, 1956 will be disregarded.

A further provision has been made that no tenant shall be evicted from the minimum area of 1·25 acres unless alternative land has been provided to him.

A landlord is required to apply for reservation of land for personal cultivation within one year of the commencement of the Act and to apply for the possession of resumable land within five years thereof. If he fails to cultivate personally the resumed land within one year of its resumption or ceases to cultivate it during the next four years, the tenant will be entitled to restoration.

Tripura

The provisions in Tripura follow the provisions in the Manipur law except that there is no provision for a minimum area of 1·25 acres being left with the tenant. A basic holding in Tripura is equal to 2 standard acres. In determining whether a person holds a basic holding or a family holding, the date from which the transfers are to be disregarded is August 10, 1957.



ANNEXURE V

DEFINITION OF PERSONAL CULTIVATION

The expression personal cultivation has been defined in various States' enactments and Bills as follows :—

Andhra Pradesh

Andhra area

The expression "personal cultivation" has neither been used nor defined.

Telangana area

'To cultivate personally' means to cultivate on one's own account—

- (i) by one's own labour; or
- (ii) by the labour of any member of one's family ; or
- (iii) by servants on wages payable in cash or kind, but not in crop share or by hired labour under one's personal supervision or the personal supervision of any member of one's family.

Explanation.—In the case of an undivided Hindu family, land shall be deemed to be cultivated personally, if it is cultivated by any member of such family.

(Hyderabad Tenancy & Agricultural Lands Act, 1950)

Bill for the entire State

(The Andhra Tenancy Bill, 1960):

"Cultivate personally" means to cultivate land on one's own account—

- (i) by one's own labour; or
- (ii) by the labour of any member of one's family; or
- (iii) by servants on wages payable in cash or kind but not in crop share, or by hired labour under one's own personal supervision or the personal supervision of any relative :

Provided that the requirement as to personal supervision shall not apply in the case of the following persons, namely :—

- (i) a minor ;
- (ii) a person suffering from physical or mental disability ;
- (iii) an unmarried woman, a widow, a married woman who is divorced or judicially separated from her husband;
- (iv) a woman whose husband is suffering from physical or mental disability; and
- (v) members of the defence services of the Indian Union, persons in the Merchant Navy or in civil employment under the Union Government or a State Government.

Assam

“Personal cultivation” means cultivation—

- (i) by the person himself, or
- (ii) by any member of his family, or
- (iii) by servants or hired labourers on fixed remuneration payable in cash or kind but not in crop-share, under personal supervision of the person himself or any member of his family:

Provided it is accompanied by the bearing of risks of cultivation by the owner and by residence in the village in which the land is situated or in a nearby village, within a distance of five miles during the greater part of the agricultural season :

Provided further that in the case of a person who is a widow, or a minor or is subject to any physical or mental disability or is a member of the Military, Naval or Air Forces of the Union, or who is a student, below the age of twenty-five years, of any educational institution, recognised by the State Government, the land shall be deemed to be under personal cultivation even in the absence of such personal supervision.

(Assam Fixation of Ceiling on Land Holdings Act, 1956 and the Adhiars Protection and Regulation Act, 1948.)

Bihar

“Personal cultivation” has been defined as cultivation by the raiyat himself or by members of his family or by servants or hired labourers on fixed wages payable in cash or kind but not in crop-share under his personal supervision or supervision of any member of his family during main agricultural operations.

The Bihar Land Reforms (Fixation of ceiling Area and Acquisition of Surplus Land Act, 1961.)

Gujarat

Former Bombay area

सत्यमेव जयते

“To cultivate personally” means to cultivate land on one's own account—

- (i) by one's own labour, or
- (ii) by the labour of any member of one's family, or
- (iii) under the personal supervision of oneself or any member of one's family by hired labour or by servants on wages payable in cash or kind but not in crop-share, being land, the entire area of which—
 - (a) is situated within the limits of a single village, or
 - (b) is so situated that no piece of land is separated from another by a distance of more than five miles, or
 - (c) forms one compact block:

Provided that the restrictions contained in (a), (b) and (c) shall not apply to any land—

- (i) which does not exceed twice the ceiling area,
- (ii) upto twice the ceiling area, if such land exceeds twice the ceiling area (Bombay Tenancy and Agricultural Lands Act, 1948).

Saurashtra area

“Cultivate personally” or any congnate expression means to cultivate on one's own account:

- (a) by one's own labour,
- (b) by the labour of any member of one's family, or
- (c) by servants on wages payable in cash or kind, but not in a share of the crops or by hired labour under one's personal supervision of any member of one's family (The Saurashtra Prohibition of Leases of Agricultural Lands Act, 1953).

Kutch area

“To cultivate personally” means to cultivate on one's own account—

- (i) by one's own labour, or
- (ii) by the labour of any member of one's family, or under the personal supervision of one-self or of any member of one's family by hired labour or by servants on wages payable in cash or kind but not in crop share.

[The Bombay Tenancy and Agricultural Lands (Vidarbha Region and Kutch Area) Act, 1958.]

Kerala

“Cultivate” with its grammatical variations means cultivate either solely by one's own labour or with the help of the members of his family, or hired labourers or both, or personally direct or supervise, cultivation by such members or hired labourers, or both, provided that such members or hired labourers have not agreed to pay or to take any fixed proportion of the produce of the land they cultivate as compensation for being allowed to cultivate it or as remuneration for cultivating it.

(The Kerala Agrarian Re'ations Act, 1961.)

Jammu & Kashmir

“Personal cultivation” is to include cultivation by any of the members of the family of the landlord. The expression “personal cultivation” has not, however, been defined.

(The Jammu & Kashmir Tenancy Act, Samvat, 1980.)

Madhya Pradesh

“To cultivate personally” means to cultivate on one's own account —(i) by one's own labour, or (ii) by the labour of any member of one's family, or (iii) by servants on wages payable in cash or kind but not in crop share, or (iv) by hired labour under one's personal supervision or the personal supervision of any member of one's family.

(The Madhya Pradesh Land Revenue Code, 1959.)

Madras

A person is said to carry on “personal cultivation” on a land when he contributes his own physical labour or that of the members of his family in cultivation of that land.

(Madras Cultivating Tenants Protection Act, 1955.)

*Maharashtra**Bombay Area*

As in Gujarat

Marathawada area

As in Telangana area. (Andhra Pradesh).

Vidarbha area

As in Kutch area (Gujarat).

*Mysore**Mysore area*

"To cultivate personally" means to cultivate on one's own account—

- (i) by one's own labour ; or
- (ii) by the labour of any member of one's family ; or
- (iii) by hired labour under one's personal supervision or the personal supervision of any member of one's family or by servants on wages payable in cash or kind but not in crop share.

Explanation I.—A tenant who is a minor or is subject to any physical or mental disability shall be deemed to cultivate the land personally if it is cultivated by his servants or by hired labour.

Explanation II.—In the case of an undivided Hindu family, the land shall be deemed to have been cultivated personally if it is cultivated personally by any member of such family.

(Mysore Tenancy Act, 1952.)

सत्यमेव जयते

Coorg Area

"To cultivate personally" means to cultivate on one's own account—

- (i) by one's own labour, or
- (ii) by the labour of any member of one's family, or
- (iii) by a servant or hired labour under one's personal supervision or the personal supervision of any member of one's own family on wages payable in cash or kind, but not in crop-share.

Explanation I.—A person who is a minor or is subject to any physical or mental disability shall be deemed to cultivate the land personally if it is cultivated by his servants or by hired labour.

Explanation II.—In the case of an undivided Hindu family, the land shall be deemed to have been cultivated personally, if it is cultivated personally by any member of such family.

(The Coorg Tenants Act, 1957.)

For Bombay, Madras and Hyderabad area, please see under former Bombay area and Telangana area of Andhra Pradesh and Madras.

**Bill for the entire State*

To cultivate personally means to cultivate land on one's own account—

- (i) by one's own labour, or
- (ii) by the labour of any member of one's family, or
- (iii) by hired labour or by servants on wages payable in cash or kind, but not in crop share, under the personal supervision of one-self or any member of one's family.

Explanation I.—Any Pandomner who is a minor a widow an unmarried woman, a person suffering from mental or physical disability or serving in the armed forces shall be deemed to cultivate the land personally if such a land is cultivated by servants, or by hired labour.

Explanation II.—In the case of a joint family, the land shall be deemed to be cultivated personally, if it is cultivated by any member of such family.

(The Mysore Land Reforms Bill.)

Orissa

“Personal cultivation” with its grammatical variations and cognate expressions means to cultivate on one's own account—

- (a) by one's own labour ; or
- (b) by the labour of any member of one's family ; or
- (c) by servants or hired labour on wages payable in cash or kind but not in crop share, under one's personal supervision or the personal supervision of any member of one's family.

(Orissa Land Reforms Act, 1960.)

Punjab

Former Punjab area

‘Self cultivation’ means cultivation by a landowner either personally or through his wife or children, or through his brothers or collaterals in the first degree or real uncles and nephews whether maternal or paternal or under his supervision.

(The Punjab Security of Land Tenures Act, 1953 and Rules framed thereunder)

Pepsu area

The expression ‘to cultivate personally’ with its grammatical variations and cognate expressions means to cultivate on one's own account—

- (i) by one's own labour ; or
- (ii) by the labour of one's mother, wife, father, husband, son, grandson, daughter, grand-daughter, brother, nephew, uncle brother-in-law, maternal uncle, son of brother-in-law or of maternal uncle ; or
- (iii) by servants or hired labour.

(The Pepsu Tenancy & Agricultural Lands Act, 1955 and Rules framed thereunder)

*The Bill has since been enacted.

Rajasthan

'Land cultivated personally' with all its grammatical variations and cognate expressions, shall mean land cultivated on one's own account—

- (i) by one's own labour ; or
- (ii) by the labour of any member of one's family ; or
- (iii) under the personal supervision of oneself or any member of one's family by hired labour or by servants on wages payable in cash or in kind but not by way of a share in crops :

Provided that in the case of a person who is a widow, or a minor or is subject to any physical or mental disability or is a member of the military, naval or air service of India or who, being a student of an educational institution recognised by the State Government is below the age of twenty-five years, land shall be deemed to be cultivated personally even in the absence of such personal supervision.

(The Rajasthan Tenancy Act, 1955.)

Uttar Pradesh

The expression used is Khudkasht which is defined as land other than 'sir' cultivated by a landlord, an under-proprietor or a permanent tenure-holder as such either himself or by servants or by hired labour. Personal cultivation includes cultivation through 'Sahjis'.

(The U.P. Tenancy Act, 1939.)

West Bengal

'Personal cultivation' means cultivation by a person of his own land on his own account—

- (a) by his own labour ; or
- (b) by the labour of any member of his family ; or
- (c) by servants or labourers on wages payable in cash or in kind or both.

(West Bengal Land Reforms Act, 1955.)

Delhi

'Khudkasht' means land (other than sir) cultivated by a proprietor either by himself or through servants or hired labour.

(Delhi Land Reforms Act, 1954.)

Himachal Pradesh

Not defined.

Manipur

'Personal cultivation' with its grammatical variations and cognate expressions means cultivation by a person on his own account—

- (i) by his own labour, or
- (ii) by the labour of any member of his family, or

- (iii) by servants or by hired labour on wages payable in cash or in kind but not as a share of produce, under his personal supervision or the personal supervision of any member of his family.

Explanation I.—Land shall not be deemed to be cultivated under the personal supervision of a person or a member of his family unless such person or member resides in the village in which the land is situated or in a nearby village, within a distance to be prescribed during the major part of the agricultural season.

Explanation II.—In the case of a person under disability supervision by a paid employee on behalf of such person shall be deemed to be personal supervision.

In the case of a person who has resumed land for personal cultivation, land shall not be deemed to be under the personal cultivation of a person (not being a person under disability) unless such person or a member of his family engages himself in the principal agricultural operations.

(The Manipur Land Revenue and Land Reforms Act, 1960.)

Tripura

As in Manipur.

(The Tripura Land Revenue and Land Reforms Act, 1960.)



ANNEXURE VI

OWNERSHIP FOR TENANTS

Andhra Pradesh

Telangana Area

Besides an optional right of purchase in respect of non-resumable lands, the Hyderabad Tenancy and Agricultural Lands Act provides for transfer of ownership to protected tenants on issue of a notification subject to two conditions :

- (i) protected tenant's right of ownership is limited to one family holding including the land held by him as owner, and
- (ii) the landholder is left with two family holdings.

(A family holding varies between 4 to 60 acres according to class of land.)

The former Government of Hyderabad had enforced the provision for transfer of ownership to protected tenants in Khammam district and in Mulug taluk of Warrangal district. It is reported that upto November 1957, 13,611 protected tenants had been declared owners in respect of 97,901 dry acres. In other areas the legislation has not been enforced.

Ordinary tenants who hold quite a substantial area, have no right of purchase.

Bill for entire State

A Bill which was introduced in the State Legislature provides for transfer of ownership to protected tenants in respect of lands not reserved by landlords for resumption. This bill will replace the Hyderabad Act also.

Assam

There is a provision enabling under-raiyats or adhiars who may be cultivating surplus lands which would vest in the State under ceiling law to purchase such lands. With regard to tenants of non-resumable lands within the ceiling limit of owners, there is no provision for transfer of ownership.

Bihar

The right of ownership is available only to such tenants (under-raiyats) who hold land from substantial owners with more than the ceiling limit. The under-raiyats in respect of the surplus land may acquire ownership on applications to be made within the prescribed period. Failure to apply for purchase of ownership would make them liable to ejection. The under-raiyats on lands within the ceiling limit of owners acquire ownership of the non-resumable land without making any application.

The under-raiyats cultivating lands of persons who do not hold land in excess of the ceiling area do not have even optional right of purchase in respect of non-resumable land.

Gujarat

Former Bombay Area

The Bombay Tenancy and Agricultural Lands Act provided for transfer of ownership to permanent tenants with effect from Tillers' day i.e. April 1, 1957. Other tenants except, those of small holders were also deemed to have acquired ownership with effect from the Tillers' day. Such tenants were, however, given the option not to become owners but in that case they became liable to ejection. It is reported that more than 13 lakh tenants were deemed to have acquired ownership in respect of about 24 lakh acres on April 1, 1957. These figures relate to the Bombay State prior to re-organisation in 1956. It may be mentioned that the case of each tenant was to be gone into by a court with a view to determining the area in respect of which ownership was to be transferred. Information regarding the exact areas in respect of which ownership has actually accrued to tenants is not available.

As regards tenants of small holders, legislation has recently been amended to provide for transfer of ownership to them (with effect from April 1, 1962) in respect of non-resumable lands. [A small holder means a person who has leased land not exceeding one economic holding (4 acres of irrigated land, 8 acres of paddy land or 16 acres of dry land) and whose annual income does not exceed Rs. 1,500.]

Kutch Area

The tenants have an optional right of purchase upto 3 family holdings subject to the condition that the landlord is left with one family holding. A provision has also been made for transfer of ownership to tenants with effect from 1st April, 1961 in respect of lands which the tenants are entitled to purchase.

Saurashtra Area

The law prohibits leasing of land in future. With regard to tenants holding land at the commencement of the law there is no provision for regulating the rights of such tenants.

Kerala

The Kerala Agrarian Relations Act provides for bringing all tenants of non-resumable lands into direct relationship with the State from a notified date. The tenants will also have the option to acquire full ownership rights on payment of compensation or remain tenants of the State. These provisions have yet to be enforced.

There are special provisions for small holders. A distinction is made between tenants who had earlier acquired fixity of tenure as in Malabar and Cochin, and others who had not acquired fixity of tenure. In the former case, the tenant has the option to acquire ownership of the entire holding on payment of compensation equal to 12 times the rent or to continue to remain as tenant. Also with the agreement of the small holder he could acquire ownership of one-half the holding by surrendering the other half in lieu of compensation. Where a tenant had not acquired fixity of tenure, the option was given to the land holder to either allow the tenant to remain tenant in respect of the entire holding or else to resume half of the area, in which case the tenant can acquire ownership of the other half on payment of compensation equal to 12 times the rent.

Madhya Pradesh

Legislation has been enacted for transfer of ownership to tenants in respect of non-resumable area.

Madras

There is no provision for transfer of ownership to tenants.

Maharashtra

Former Bombay Area

As in Bombay area of Gujarat.

Marathwada Area

The Hyderabad Tenancy & Agricultural Lands Act is applicable in this area with some modifications to protected tenants. The provision for transfer of ownership has been enforced in all the districts of Marathwada. Ownership accrues to a tenant in land not exceeding one family holding, including the area owned by him. This is further subject to the condition that the extent of land remaining with the land holder after the transfer of ownership to the protected tenant shall not be less than 2 family holdings. It is reported that 36,176 protected tenants have acquired ownership of 3,86,438 acres of land.

As regards ordinary tenants, they have an optional right to purchase upto one family holding subject to the condition that the land holder is left with one family holding. In case of compulsory purchase the land holder is to be left with two family holdings.

Vidarbha Area

The tenants have an optional right of purchase upto 3 family holdings subject to the condition that landlord is left with one family holding. This condition is not applicable to occupancy tenants. A provision has also been made for transfer of ownership to tenants with effect from 1st April, 1961 in respect of lands which the tenants are entitled to purchase.

Mysore

Bombay Area

Provisions for transfer of ownership to tenants in the Bombay Tenancy law applicable to this area, have not been enforced pending enactment of comprehensive legislation for the entire State.

Hyderabad Area

The provision in the Hyderabad law for transfer of ownership was to be enforced on issue of a notification. The law was enforced in Taluk Yadgir of Gulbarga district by the former Hyderabad Government. The provisions have not been enforced in other parts of the area pending enactment of comprehensive legislation for the Mysore State. An optional right of purchase is however available.

Coorg & Madras Area

There is no provision for transfer of ownership to tenants in the existing law.

***Bill for the entire State**

The Mysore Land Reforms Bill provides that tenants of non-resumable land will come into direct relationship with the State. They will have the option to acquire full ownership rights on payment of compensation. This right will not accrue to a tenant of small holder (owning 4 to 32 acres) if the latter elects not to exercise the right of resumption for five years. These provisions will become applicable to all areas of the State including the former Bombay and Hyderabad areas.

Orissa

The Orissa Land Reforms Act provides for transfer of ownership to tenants (under-raiyats) whose names were entered in the record of rights with effect from the date of enforcement of the Act. Such under-raiyats will be required to pay compensation for the acquisition of ownership. With regard to other under-raiyats not entered in the record of rights, the right of ownership will accrue in respect of non-resumable lands i.e., 1/4th or 1/3rd of the area held by them as the case may be, without payment of compensation.

The Land Reforms Act has not yet been enforced. The Orissa Government has since promoted amending Bill which makes modifications in the above provisions.

Punjab

There is a provision for an optional right of purchase in respect of non-resumable lands. In the Punjab area, the right of purchase has been restricted to such tenants as are in possession for a continuous period of 6 years.

Rajasthan

Every person who is entered as a tenant of khudkasht or a sub-tenant in the annual register at the commencement of the Tenancy Act of 1955 became the owner of a minimum area (varying between 15.6 acres to 125 acres) with effect from April 5, 1959. As regards tenants and sub-tenants who were not entered in the annual register, the rights of ownership would accrue on a declaration obtained on application to be made within a period of two years from April 5, 1959. A further provision has recently been made for transfer of ownership in respect of non-resumable land held by tenants or sub-tenants.

A tenant or sub-tenant has also been given the option not to become owner by intimating such option in writing to the Assistant Collector within a period of three years.

*The Mysore Land Reforms Bill has since been enacted.

Uttar Pradesh

All tenants and sub-tenants (except tenants or sub-tenants of disabled persons) have already been brought into direct relationship with the State and conferred permanent and heritable rights. They have also an option to acquire full ownership rights on payment of compensation. About 15 lakh sub-tenants and tenants of khudkasht holding about 20 lakh acres have thus been brought into direct relationship with the State.

West Bengal

All tenants and sub-tenants have been brought into direct relationship with the State and made owners of land. The provision does not, however, apply to share-croppers who do not have an optional right of purchase either.

Delhi

All tenants (except tenants of disabled persons) have already been conferred ownership.

Himachal Pradesh

A provision has been made for an optional right of purchase. Government has also been empowered to bring all tenants into direct relation with State on issue of a notification.

Manipur & Tripura

Provision has been made for conferment of ownership on all tenants of non-resumable land.



ANNEXURE VII
CEILING ON FUTURE ACQUISITION

| State | Level of Ceiling |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. <i>Andhra Pradesh</i> | 18 to 216 acres (3 family holdings). |
| 2. <i>Assam</i> | 50 acres. |
| 3. <i>Bihar</i> | 20 to 60 acres according to class of land. |
| 4. <i>Gujarat</i> | 19 to 132 acres according to local areas and class of land. |
| 5. <i>Jammu & Kashmir</i> | 22½ acres. |
| 6. <i>Kerala</i> | 15 to 37½ acres according to class of land. |
| 7. <i>Madhya Pradesh</i> | 25 to 75 acres according to class of land. |
| 8. <i>Madras</i> | 24 to 120 acres depending on rate of assessment and class of land. |
| 9. <i>Maharashtra</i> | 18 to 126 acres according to class of land. |
| 10. <i>Mysore</i> | 18 to 144 acres. |
| 11. <i>Orissa</i> | 25 to 100 acres according to class of land. The Amendment Bill which is before the legislature, provides for reducing the limit to 20 to 80 acres. |
| 12. <i>Punjab</i> : | |
| Former Punjab Area | 30 standard acres or 60 ordinary acres (for displaced persons 50 standard acres or 100 ordinary acres). |
| Pepsu Area | 30 standard acres or 80 ordinary acres (for displaced persons 40 standard acres or 100 ordinary acres). |
| 13. <i>Rajasthan</i> | 30 standard acres. |
| 14. <i>Uttar Pradesh</i> | 40 acres of fair quality land. |
| 15. <i>West Bengal</i> | 25 acres. |
| 16. <i>Delhi</i> | 30 standard acres. |
| 17. <i>Himachal Pradesh</i> | 30 acres in district Chamba and land assessed to Rs. 125 in other districts. |
| 18. <i>Manipur</i> | 25 acres. |
| 19. <i>Tripura</i> | 25 to 75 acres according to class of land. |

ANNEXURE VIII

CEILING ON EXISTING HOLDINGS

PROGRESS OF LEGISLATION AND IMPLEMENTATION

Andhra Pradesh

The Andhra Pradesh Ceiling on Agricultural Holdings Act, 1961 which received the assent of the President on 9-2-1961 was brought into force on 1-6-1961. The Rules were framed and published on 19-5-1961.

Assam

The Assam Fixation of Ceiling on Land Holdings Act, 1956 which was amended in 1957 was brought into force with effect from 15-2-1958. The landowners were required to submit returns regarding the extent of land held by them by 15-11-1958. These returns are being scrutinised with a view to determining the surplus lands. Necessary additional staff to assist the Collectors in enforcing the ceiling Act has been appointed in each district. The Act was challenged in the Assam High Court and the Supreme Court and was held valid on 4-4-1961.

Bihar

The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 has been passed by the State legislature

Gujarat

The Gujarat Agricultural Lands Ceiling Act, 1960 which received President's assent on 2-6-1961 came into force with effect from 1-9-1961. Rules under the Act were published on 30-8-1961. Preliminary steps for the enforcement of the provisions of the Act are being taken.

Jammu & Kashmir

Provisions for ceilings were made in the Big Landed Estates Abolition Act, 1950 which has since been implemented 4.5 lakh acres of surplus land vested in the State Government. Of this about 2.3 lakh acres have been settled with the tenants who were already in possession of the surplus land. The remaining area has been allotted primarily to displaced persons.

Kerala

The Kerala Agrarian Relations Act, 1960 which received the assent of the President on January 21, 1961 was published on 3-2-1961. The Rules were framed under the Act and published on February 23, 1961. The provisions in the Act relating to regulation of transfers by persons holding land in excess of the ceiling limit, constitution of Land Board and Land Tribunals and to procedures were brought into force on 15-2-1961. The administrative machinery is at present occupied with rent settlement operations. The provisions for ceiling on holding will be brought into force after the rent settlement work is completed.

Madhya Pradesh

The Madhya Pradesh Ceiling on Agricultural Holdings Act, 1960 was amended in 1961. It came into force from 15-11-1961.

Madras

The Madras Land Reforms (Fixation of Ceiling on Land) Act, 1961 has been enacted.

Maharashtra

The Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 received the assent of the President on 7-6-1961. Preliminary steps are being taken for its enforcement.

Mysore

The Mysore Land Reforms Act, 1961 which provides for ceiling on holdings has been enacted.

Orissa

The Orissa Land Reforms Act, 1960 provides for ceiling on land holdings. The Act, after receiving the assent of the President on October 17, 1960 was published on November 9, 1960. It has not, however, been enforced. Some of its important provisions are being modified by an Amendment Bill before the implementation of the Act is taken up.

Punjab

In Pepsu area the Pepsu Tenancy and Agricultural Lands Act, 1955 provides for ceiling on holdings. In the former Punjab area a provision was made in the Punjab Security of Land Tenures Act as amended in 1955, empowering the State Government to settle tenants on surplus lands under personal cultivation of owners in excess of prescribed limits. The declarations regarding the extent of land held by landholders have been obtained under both the Acts and are being scrutinised with a view to determining the surplus area. Up to 31-10-1961 in Pepsu area, out of 7,415 cases of substantial landowners 6303 cases had been decided declaring 33,647 standard acres as surplus area. 2,873 standard acres had been distributed. In the former Punjab area where 20,457 cases out of 22,304 had been decided, 2,93,431 standard acres had been declared surplus. 10,853 tenants had been settled on an area of 18,005 standard acres.

Rajasthan

The Rajasthan Tenancy (Amendment) Act, 1960 which provides for ceiling on land holdings was published on March 21, 1960 after receiving the assent of the President on March 12, 1960. The Act provides for a ceiling of 30 standard acres, a standard acre being defined as the area of land yielding 10 maunds of wheat yearly or, in case of lands not producing wheat, its equivalent in money value. Special staff has been appointed to work out the value of standard acre in terms of acreage of different classes of land. The work is likely to be completed by the end of 1961-62. The provisions for ceiling will be enforced when this work has been completed.

Uttar Pradesh

The Uttar Pradesh Imposition of Ceiling on Land Holdings, **Act, 1960** came into force on January 3, 1961 after receiving President's assent on December 24, 1960. The Rules were framed under the Act and published on June 29, 1961.

West Bengal

Provision for a ceiling on raiyati holdings was included in the West Bengals Estates Acquisition Act 1953 by an amendment of 1955.

4 lakh acres of agricultural land and 8 lakh acres of forest land have been taken possession of by the State Government which are being settled with bargadars (share-croppers) and landless workers temporarily on year to year basis. More area will be taken over as implementation of the Act proceeds. The bulk of the surplus area is in possession of bargadars.

Union Territories

Legislation has been enacted in Delhi, Himachal Pradesh, Manipur and Tripura. Rules have also been framed.



ANNEXURE IX

CEILING ON EXISTING HOLDINGS—LEVEL OF CEILING

| State | Level of Ceiling | Remarks |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Andhra Pradesh</i> | • 4½ times the family holding i.e. 27 to 324 acres. (A family holding varies from 6 acres of wet land bearing settlement <i>taram</i> No. 1 or settlement classification of 15 annas and above to 72 acres of dry lands with <i>taram</i> above 5 and <i>chalka</i> soil with assessment below 8 annas). | Allowance made for size of family—additional one family holding for every member in excess of five. There is no outside limit. |
| <i>Assam</i> | • 50 acres | No allowance for size of family. |
| <i>Bihar</i> | (a) Land irrigated by flow irrigation work constructed and maintained by Government: 20 acres. (b) Land irrigated by lift irrigation work or tube well constructed or maintained by Government : 30 acres. (c) Land which is orchard and other lands not included in any other category : 40 acres. (d) <i>Diara</i> land : 50 acres. (e) Hilly, sandy and other lands not yielding paddy, rabi or cash crop : 60 acres. | Allowance made for size of family subject to an outside limit of twice the ceiling area. |
| <i>Gujarat</i> | (i) Dry crop land (including land irrigated from non-Government sources): 56 to 132 acres. (ii) Rice land and seasonally irrigated land 38 to 88 acres. (iii) Perennially irrigated land: 19 to 44 acres. (The ceiling varies in different local areas as specified in the Act). | No allowance for size of family. |
| <i>Jammu and Kashmir</i> | 22½ acres | No allowance for size of family. |
| <i>Kerala</i> | 15 acres of double-crop paddy land or equivalent area (equivalent areas vary between 15 to 37½ acres). | Allowance made for size of family subject to an outside limit of 25 acres of double-crop paddy land or its equivalent area. For an unmarried adult person the ceiling limit would be half of the ceiling area. |

| State | Level of Ceiling | Remarks |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Madhya Pradesh</i> | 25 standard acres (a standard acre means one acre of perennially irrigated land or 2 acres of seasonally irrigated land or 3 acres of dry land). | Allowance made for size of family subject to an outside limit of 50 standard acres. |
| <i>Madras</i> | 30 standard acres. A standard acre means an acre of land assessed to land revenue exceeding Rs. 10 but not exceeding Rs. 15. In terms of ordinary acres the ceiling varies from 24 to 120 acres. | Allowance made for size of family—additional 5 standard acres for each member in excess of five subject to an outside limit of 60 standard acres. |
| <i>Maharashtra</i> | (i) Perennially irrigated land by flow irrigation : 18 acres. (ii) Seasonally irrigated land by flow irrigation— (a) irrigated for two seasons : 27 acres. (b) irrigated for one season : 48 acres. (iii) Dry lands (including lands irrigated from non-Governmental sources): 66 to 126 acres in different local areas. | Allowance made for size of family subject to an outside limit of twice the ceiling area. |
| <i>Mysore</i> | 27 standard acres (standard acre varies from one acre of wet land with assured irrigation on which two paddy crops can be raised to 8 acres of dry or garden land with less than 25 inches of annual rainfall). | Allowance made for the family—subject to outside limit of twice the ceiling area. |
| <i>Orissa</i> | 25 standard acres (standard acre varies from one acre of perennially irrigated land which is assured of water supply for at least three crops in a year to 4 acres of dry land). The Amendment Bill which is before the Legislature provides for reducing the ceiling to 20 acres of class I land or equivalent area varying between 20 to 80 acres. | Allowance made for size of family—subject to an outside limit of twice the ceiling area. This is being omitted by the Amendment Bill. |
| <i>Punjab</i> : | | |
| <i>Punjab area</i> | 30 standard acres not exceeding 60 ordinary acres. In case of displaced persons, 50 standard acres not exceeding 100 ordinary acres. | No allowance for size of family. |
| <i>Pepsu area</i> | 30 standard acres not exceeding 80 ordinary acres. In case of displaced persons, 40 standard acres not exceeding 100 ordinary acres. | No allowance for size of family. |

| State | Level of Ceiling | Remarks |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| | (standard acre means an acre of land yielding between 10 and 11 maunds of wheat per acre matured). | |
| Rajasthan . . . | 30 standard acres (standard acre means land yielding 10 maunds of wheat or in case of lands not producing wheat, its equivalent in money value). | Allowance made for size of family subject to an outside limit of 60 standard acres. |
| Uttar Pradesh . . . | 40 acres of fair quality land (an acre of fair quality land means an acre of land with hereditary rate of rent exceeding Rs. 6 ; 1½ acres with rate between Rs. 4 and Rs. 6 and 2 acres with rate at Rs. 4 per acre or less). | Allowance made at 8 acres of fair quality land for each member in excess of five, subject to an outside limit of 64 such acres. |
| West Bengal . . . | 25 acres | No allowance for size of family. |
| Delhi . . . | 30 standard acres (standard acre varies from 4/5th of an acre of irrigated land to 2 acres of Barani land). | Allowance made for size of family subject to an outside limit of 60 standard acres. |
| Himachal Pradesh | 30 acres in district Chamba and land assessed to Rs. 125 in other districts. | No allowance made for size of family. |
| Manipur . . . | 25 acres | Allowance made for size of family subject to an outside limit of 50 acres. |
| Tripura . . . | 25 standard acres (standard acre varies from one acre of <i>nal</i> or <i>lunga</i> land to 3 acres of <i>tilla</i> land). | Allowance made for size of family subject to an outside limit of 50 standard acres. |

ANNEXURE X

CEILING ON EXISTING HOLDINGS—TRANSFERS

Andhra Pradesh

Alienations or partitions made by a person holding more than the ceiling area after the enactment of the ceiling law (21-2-1961) and before the surplus land is declared, shall be null and void. There is no provision for disregarding transfers made before the enactment of the law.

Assam

Benami transfers made after November 12, 1955 (the date of the introduction of the Bill) shall be disregarded in determining the limit upto which the transferor shall be entitled to hold lands and the surplus land shall be so determined as if the transfer had not taken place.

Bihar

A landholder may transfer lands within six months of the commencement of the ceiling law by way of gift to his son, daughter, any children of his son or daughter, or to any such other person or persons who would have inherited such land or would have been entitled to a share therein had the landholder died intestate. The transfers and gifts made otherwise after October 22, 1959 (the date of the introduction of the Bill) except transfers made by a registered document for valuable consideration, shall be disregarded in determining the surplus lands of the transferor.

Gujarat

No transfer or partition can be made by a person holding land in excess of the ceiling area after the commencement of the Ceiling Act without the permission of the Collector writing.

Any transfer or partition made between the 15th day of January, 1959, (the date of the Nagpur Resolution) and the commencement of the Act shall be deemed to have been made with a view to defeating the object of the Ceiling Act (unless proved to the contrary to the satisfaction of the Collector) and shall be ignored in computing the surplus land held by the person. The surplus so determined shall be taken, in the first instance, from the transferor to the extent of lands available with him and the balance, if any, shall be taken in the first instance from the transferee to whom the transfer was made after the commencement of the Act and thereafter from the transferee (to whom the transfer was made before the commencement of the Act but after January 15, 1959).

Jammu & Kashmir

There is no provision for disregarding transfers.

Kerala

All voluntary transfers made after December 18, 1957 (the date of the introduction of the Ceiling Bill) otherwise than—

- (i) by way of partitions ; or

- (ii) on account of natural love and affection ; or
- (iii) in favour of a person who was a tenant of the holder before the 27th July, 1960 and continued to be so till the date of transfer ;

shall be disregarded in computing the surplus land and the surplus so determined shall be taken from the transferor or the transferee as may be necessary. However, if the transfer was made after December 18, 1959 and on or before July 27, 1960 (the date of the Directive of the President), the surplus land shall be taken from the transferor only to the extent available with him and no land shall be taken from the transferee if it is within the ceiling limit.

Madhya Pradesh

A landholder is permitted to transfer land before the expiry of a period of 2 years from the date of the commencement of the Ceiling Act by way of sale to joint farming or better farming societies, agricultural labourers, landless persons, displaced tenants and small holders (persons holding less than 5 standard acres on the date of transfer). Any other transfer or partition of a holding or part thereof made after the date of the publication of the Ceiling Bill shall be void if the transfer or partition was made in anticipation of and to defeat the provisions of the ceiling Act.

Madras

Any transfer or partition made after the publication of the Bill (April 6, 1960) shall be declared void if such transfer or partition was found to have been made for defeating any of the provisions of the Act.

Maharashtra

No transfer or partition can be made after the commencement of the Ceiling Act till the surplus land above the ceiling limit has been determined.

Any transfer or partition made before the date of the commencement of the Ceiling Act but after the date of the publication of the Bill (4th day of August, 1959) shall be deemed to have been made in order to defeat the object of the Ceiling Act (unless proved to the contrary) and shall be disregarded in computing the surplus area. The surplus so determined shall be taken, in the first instance, from the transferor to the extent of land available with him and the balance, if any, shall be taken from the transferee.

Mysore

Alienations by persons owning land in excess of the ceiling limit after a date to be notified and before the determination of the surplus lands shall be null and void. There is no provision for disregarding transfers made after the notified date. Thus, transfers are permitted even after the commencement of the Act upto the date that may be notified.

Orissa

There is no provision for disregarding transfers. In fact there is no provision for State acquisition of surplus lands. The landowners are required to dispose of the surplus land at market value to persons in prescribed categories before a date to be prescribed. Some modification are proposed in the Amendment Bill.

Punjab

Pepsu Area.—Any transfer made after August 21, 1956 (i.e. the date of the introduction of the Bill) except the transfer made to a landless person or a small landowner, not being a relation of the transferor, before 30th July, 1958, and all dispositions of land made after August 21, 1956, otherwise than by way of inheritance, shall be disregarded in determining the surplus area. The Government can take the surplus so determined from the transferor as well as from the transferee.

Punjab Area.—Any transfer or disposition of land (except by way of inheritance) made after April 15, 1953 will be disregarded in determining the surplus area for the purposes of settlement of tenants thereon. (The provisions for the determination of the surplus area were made in 1955).

Rajasthan

All voluntary transfers effected on or after February 25, 1958 shall be disregarded, except the following :

- (i) partitions ;
- (ii) transfers made on or before December 9, 1959 in favour of a person who was a landless person before February 25, 1958 and continued to be so till the date of the transfer.

Uttar Pradesh

Transfers and partitions of land made after 20th August, 1959 (the date of introduction of the Bill) will be disregarded in determining the surplus area. Partitions of the holdings of Joint Hindu families made by suits or proceedings pending on 20th August 1959 are, however, exempted.

West Bengal

Provisions for a ceiling in West Bengal are contained in the Estates Acquisition Act, 1953. The principal Act provided for a ceiling on lands held by zamindars and tenure holders only. Provisions for a ceiling on raiyati or under-raiyati holdings were included by the Amendment Act of 1955. The legislation empowers the State Government or authorised officers to enquire into any transfer of land made after May 5, 1953 (i.e., the date of the introduction of the principal Act in the State Legislature) if in the opinion of the Government or the authorised officer, there are *prima facie* reasons for believing that such transfer was not bona fide. If, after enquiry, it is found that the transfer was not bona fide, it shall be cancelled. If the transfer is found to be bona fide, it will be held to be valid but it shall be disregarded and the surplus area so determined as if the transfer had not taken place. In calculating the lands which may be retained by the transferor, the transferred lands shall be deemed to have been retained by him.

Delhi

All transfers made after 10th February, 1959 (i.e. the date on which the announcement was made in the Parliament regarding Government's intention for bringing up legislation for ceiling) will be disregarded in computing the surplus area. However, in respect of transfers made by registered deed for valuable consideration between February 10, 1959 and November 25, 1959 (the date of the introduction of the Bill) the surplus land shall be taken from the transferor only to the extent available with him but leaving him (transferor) a minimum area of one economic holding (8 standard acres) and no land shall be taken from the transferee. With regard to other transfers made after February 10, 1959, the surplus lands shall be taken both from the transferor and the transferee. The surplus area shall be selected out of the lands held by the transferor and the transferee in the same proportion as the land held by the transferor bears to the land transferred. Where no land is held by the transferor, the excess shall be taken from the transferee. If there are more transferees than one the surplus land shall be selected out of the land held by each of the transferee in the same proportion as the area of the land transferred to him bears to the total area of the land transferred to all the transferees.

Where the surplus land is selected out of the land transferred, the transfer of such land shall be void and the consideration money paid by the transferee in respect of such land, shall be a charge on the compensation payable for the land.

Himachal Pradesh

All voluntary transfers made on or after April 1, 1952 shall be disregarded in computing the surplus land. Where surplus land is selected out of the transferred lands, the transfer in respect of such land shall become void.

सत्यमेव जयते

A provision has also been made for disregarding partitions made by joint families after April 1, 1952 in computing the surplus land.

Manipur

All transfers made after January 15, 1959 (the date of the Nagpur Resolution) will be disregarded in computing the surplus area. However, in respect of transfers made by registered deed for valuable consideration between January 15, 1959 and December 12, 1959 (the date of the introduction of the Bill) the surplus area so determined shall be taken from the transferor only to the extent available with him but leaving with him (transferor) a minimum area of one family holding (7.5 acres) and no land shall be taken from the transferee. As regards other transfers made after January 15, 1959 the surplus lands shall be taken both from the transferor and the transferee.

With regard to the selection of surplus land out of the lands held by the transferor and the transferee the provisions are similar to those adopted in Delhi.

Tripura

All transfers made after 10th August, 1957 (the date of the publication of the Land Reforms Bill) will be disregarded in computing the surplus area. However, in respect of transfers made by registered deed for valuable consideration between 10th August, 1957 and 2nd December, 1959 (the date of the introduction of the Bill) the surplus area so determined shall be taken from the transferor only to the extent available with him but leaving with him (transferor) a minimum area of one family holding (6.4 standard acres). As regards other transfers made after 10th August, 1957, the surplus land shall be taken both from the transferor and the transferee. With regard to selection of surplus area out of lands held by the transferor and the transferee, the provisions are similar to those adopted in Delhi.



ANNEXURE XI

CEILING ON EXISTING HOLDINGS—COMPENSATION

Andhra Pradesh

| Scale of Compensation | Mode of Payment |
|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| For the first $4\frac{1}{2}$ family holdings (27 to 324 acres in excess of the ceiling area). | 5 times the gross income. |
| for the next $4\frac{1}{2}$ family holdings. | 4 times the gross income. |
| for the balance of the holdings surrendered. | 3 times the gross income. |
| | Payable either in cash or in bonds or partly in cash and partly in bonds to be issued on such terms and conditions as may be prescribed. |

In addition, value of structures of permanent nature and of trees on the land as may be determined by the Revenue Divisional Officer.

Assam

| | |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| 50 times the annual land revenue except fallow lands which case it would be 25 times the land revenue. | Payable in cash or annual instalments not exceeding 5 with interest at $2\frac{1}{2}\%$ on the unpaid amount. |
|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|

In case there is a tenant on surplus land, tenant will get out of it 30 to 35 times the land revenue and for fallow land 5 to 10 times the land revenue. In case there is a sub-tenant this will be further equally divided.

In addition, compensation will be paid for improvements not exceeding 50 times the land revenue for fallow lands and 100 times the land revenue for other lands.

Sambhal Bihar

The excess lands shall be acquired by Government on payment of compensation at the following rates :

(1) In respect of lands in the possession of the land-holder :—

| | | | |
|------------------------|-------------------|---|---------------------------------------------------------------------------------------------------------------------------|
| Class I land | Rs. 900 per acre. | } | Payable in cash or in bonds redeemable in 30 annual instalments of principal and interest with $2\frac{1}{2}\%$ interest. |
| Class II land | Rs. 600 per acre. | | |
| Class III land | Rs. 450 per acre. | | |
| Class IV land | Rs. 300 per acre. | | |

- Class V (a) Land growing crop other than paddy or rabi or classed as *Tanr II* in Chota Nagpur or Santhal Parganas—Rs. 150 per acre.
 (b) Lands classed as *Tanr III* in Chota Nagpur and Santhal Parganas—Rs. 75 per acre.
 (c) Waste lands—Rs. 50 per acre.

- (2) In respect of other lands land-holder will receive :—
 3/4th the amount in case land is held by occupancy under-raiyat,
 7/8th the amount in case it is held by non-occupancy under-raiyat.

Gujarat

| | |
|--------------------------------------------|---------------------------|
| 1 If the land is on lease from Government— | 12 times the assessment. |
| 2 Class A local area .. | 200 times the assessment. |
| Class B local area .. | 185 times the assessment. |
| Class C local area .. | 170 times the assessment. |
| Class D local area .. | 155 times the assessment. |
| Class E local area .. | 140 times the assessment. |
| Class F local area .. | 125 times the assessment. |
| Class G local area .. | 110 times the assessment. |
| Class H local area .. | 95 times the assessment. |
| Class I local area .. | 80 times the assessment. |

(3) If the land is irrigated and subject to the betterment charges, compensation amount will be 3 times in case of perennially irrigated land and $1\frac{1}{2}$ times in case of seasonally irrigated land. Arrears of betterment charges, if any, will be deducted from the compensation. The amount so calculated shall not be less than 80 to 200 multiples of assessment and total compensation shall not exceed the market value of the land.

In addition, value of trees, permanent structures and wells and pipelines.

In case there is a tenant in possession of land he shall be entitled to receive 1/3rd of the compensation amount.

Payable in cash or transferable bonds carrying 4½% interest redeemable in not exceeding 20 years or partly in cash and partly in bonds.

Jammu & Kashmir

No compensation payable.

Kerala

Compensation payable will be the aggregate of—

- (i) full value of any structures, wells and embankments of a permanent nature, and
- (ii) the percentage of market value of land and improvement other than specified in (i) above, calculated as follows :—

| | |
|-----------------------------------------------|--------------------------------------|
| On the first 15,000 of total market value 60% | Payable either in cash |
| On the next 15,000 of total market value 55% | or in negotiable bonds redeemable in |
| On the next 15,000 of total market value 50% | 10 years and carry- |
| On the next 15,000 of total market value 45% | ing interest at |
| On the next 15,000 of total market value 40% | 4½% per annum or |
| On the next 15,000 of total market value 35% | partly in cash and |
| On the next 15,000 of total market value 30% | partly in such bonds. |
| On the balance 25%. | |

In case there is a tenant in possession of such lands the landlord shall retain out of it an amount in the same proportion as the rent bears to the produce.

The amount of encumbrances, maintenance or alimony in excess of the amount of compensation shall be extinguished except in case of a debt under an over-draft agreement with a banking company in which case the creditor shall have the right to proceed against other assets of the debtor for the balance outstanding.

Madhya Pradesh

Compensation is payable on a graded slab system based on land revenue per acre which varies from 50 times the land revenue (in case of lands whose land revenue, per acre) is upto Re. 1 or less to 20 times the land revenue (in case of land whose land revenue exceeds Rs. 6 per acre).

Compensation upto Rs. 1,000 is payable in cash and balance in 19 equal annual instalments with interest at 3%

In addition, value of improvements made.

Madras

- | | |
|-------------------------------------------------------------|--------------------------|
| (1) For the first Rs. 5,000 or portion of net annual income | 12 times the net income. |
| (2) For the next Rs. 5,000 | 11 times the net income. |
| (3) For the next Rs. 5,000 | 10 times the net income. |
| (4) For the balance | 9 times the net income. |

In addition, market value of trees, buildings, machinery, plant or apparatus. In case of tenanted land, 1/8th of the fair rent will be payable to any tenant from the compensation payable.

Compensation payable to a cultivating tenant and the intermediary shall be shared in the ratio of 3:1.

Compensation is payable in cash or in bonds or partly in cash or partly in bonds. Bonds shall be on such terms and interest as may be prescribed.

Maharashtra

Aggregate of—

- (a) 55 to 195 multiples of assessment in different local areas for dry crop land, or
- (b) The above amount will be increased to—
 - (i) 100% for land irrigated seasonally and perennially by flow irrigation from Government source.
 - (ii) 50% for land irrigated perennially by a well within the command of an irrigation project or for land irrigated perennially by lift irrigation from Government source or for land irrigated seasonally by flow irrigation from a Government source for 8 months in a year.

- (iii) 25% for land irrigated seasonally by flow-irrigation from Government source (for 4 months in a year) or irrigated perennially by flow or lift irrigation from a natural source (river, stream, lake, etc.).
- (iv) For lands not cultivated for 3 years continuously, 25% of compensation payable under (a) or (b).
- (v) In case of lands held by Bhumidhar, the compensation will be reduced by 3 multiples of assessment.
- (vi) In case of imitable and non-transferable lands, 2/3rds of the amount in (a) or (b).
- (vii) In case of lands on lease from Government, 10% of the amount in (a) or (b).
- (c) Value of structures, wells, embankments and trees.
- (d) Cost of cultivation of standing crops on land.
- (e) In the case of inam lands, seven times the difference between full land revenue leviable and the land revenue payable.

Mysore

10 times the average net annual income of land

In case there is a tenant in possession he shall receive out of it one year's average net income of such land.

If the land vested is less than a basic holding in a lump-sum. In other cases in instalments not exceeding 20 with interest at 4½% per annum.

Orissa

There is no provision for state acquisition.

Surplus land is to be disposed of on such price as may be agreed upon by the parties. If it is not disposed of by the landholder within the prescribed period the Revenue Officer can allot it on the price prevailing in the locality. These provisions are being modified in the Amendment Bill.

Punjab

Pepsu area :

Compensation is payable on a graded slab system on the following lines : Payable either in cash or in bonds or partly in cash and partly in bonds.

1. In respect of land other than banjar land
 - (a) for the first 25 standard acres—12 times the fair rent.
 - (b) for the next 25 standard acres—9 times the fair rent.
 - (c) for the remaining land—90 times the land revenue (including rates and cesses) payable for such land or Rs. 200 per acre whichever is less.

(Fair rent for the purpose shall be 1/5th of the gross produce).

In respect of banjar land, forty-five times the land revenue or Rs. 100 per acre whichever is less.

In case of building, structure, tube-well or crop, the landowner will be given the option to remove the same, failing which compensation equal to 3/4th of the market value shall be payable.

In apportioning compensation between a landowner and a tenant, not more than twenty times the land revenue shall be awarded to the tenant.

Punjab Area :

There is no provision for State acquisition. Land owner will receive rent from tenants settled on surplus land.

Rajasthan

| | |
|----------------------------------------------------------------------|---------------------------------------------------------------------|
| 30 times the rent rate in respect of first 25 acres of surplus land. | Payable in cash or in bonds, or partly in cash and partly in bonds. |
| 25 times the rent rate in respect of next 25 acres. | |
| 20 times the rent rate in respect of remaining area. | |

Uttar Pradesh

- (i) For Bhumidhars—80 times the land revenue or 40 times the hereditary rate whichever is greater; plus 20 times the difference between the hereditary rate and the land revenue. Payable in cash or in bonds with interest at 3½%.
- (ii) For Sirdars (who have permanent and heritable rights, but not the right of transfer) and tenants who have similar rights—20 times the hereditary rate plus 20 times the difference between the hereditary rate and the land revenue.
- (iii) For Asamis and other tenants without permanent rights—5 times the rent.

In addition, compensation will also be paid for masonry wells, buildings and trees.

West Bengal

Compensation is payable on a graded slab system according to the net income of each person. The rate varies from 20 times the net income for the first slab of Rs. 500 to two times for the highest slab of above Rs. 80,000. In case of charitable or religious institutions, it is to be assessed as perpetual annuity equal to the net annual income.

Compensation is payable partly in cash and partly in bonds with 3% interest.

Delhi

20 times the net annual income (net income is one-fifth of gross average produce).

Payable in cash in a lump-sum or in instalments or in bonds redeemable over a period of 10 years.

Where it is payable in instalments or in bonds, interest will also be payable at $2\frac{1}{2}\%$ per annum.

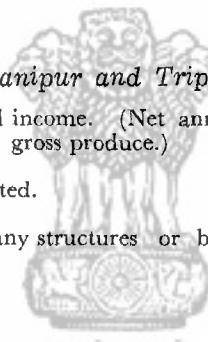
In addition, market value of structures, or buildings including wells, tube wells and embankments and trees planted if any.

Himachal Pradesh

| | |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4 times the land revenue for lands lying uncultivated for 6 years. | Payable in cash or in bonds or partly in cash and partly in bonds. Where it is paid in bonds the principal amount together with interest at $2\frac{1}{2}$ per cent per annum will be payable. The interest due on the bonds as well as the principal will be paid in equal half-yearly instalments not exceeding 24. |
| 48 times the land revenue for cultivated lands. | |

Manipur and Tripura

| | |
|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) 20 times the net annual income. (Net annual income is one-fifth of the gross produce.) | Payable in cash in lump-sum or annual instalments not exceeding 20, or in bonds redeemable over a period of 20 years. Interest will be payable on the unpaid amount at $2\frac{1}{2}\%$ per annum from the date of vesting. |
| (b) The value of trees planted. | |
| (c) The market value of any structures or buildings standing on land. | |



ANNEXURE XII

CEILING ON LAND HOLDINGS—EXEMPTIONS

1. *Andhra Pradesh Ceiling on Agricultural Holdings Act, 1961*

- (i) Sugar cane farms maintained and operated by a sugar factory.
- (ii) Land held by religious, charitable and educational institutions.
- (iii) Co-operative farming society approved by Government and lands granted by Government to a co-operative society.
- (iv) Land covered by tea, coffee or rubber plantations.
- (v) Land on which orchards are raised.
- (vi) Land of specialised farms engaged in cattle breeding, dairy-ing, wool-raising, etc.
- (vii) Efficiently managed farms consisting of compact blocks on which heavy investments or permanent structural improve-ments have been made and whose break-up is likely to lead to a fall in production.
- (viii) Land awarded for gallantry.

2. *Assam Fixation of Ceiling on Land Holdings Act, 1956*

- (i) Orchard lands upto 10 acres, in addition to ceiling limit.
- (ii) Lands held for special cultivation of tea or purposes ancil-lary thereto.
- (iii) Lands exceeding 50 acres utilised for large scale cultivation of citrus in a compact block by any person before January 1, 1955.
- (iv) Lands utilised by efficiently managed farms on which heavy investment or permanent structural improvements have been made and whose break-up is likely to lead to a fall in pro-duction.
- (v) Lands held by a sugar factory or a cooperative farming society for cultivation of sugarcane for the purpose of sugar factory.
- (vi) Co-operative farming society subject to the condition that members do not hold more than ceiling limit.

3. *Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Lands) Act, 1961*

- (i) lac-brood farms operated by the Indian Lac Cess Committee constituted under section 4 of the Indian Lac Cess Act, 1930 (24 of 1930);
- (ii) land held on the date of commencement of this Act by edu-ca-tional institutions, hospitals, maternity homes and orpha-nages;

- (iii) such extent of land held by such public or charitable bodies other than religious institutions, as may be notified by the State Government in this behalf;
- (iv) tea plantations including such other area for ancillary purposes and development thereof as may be determined by the Collector of the district in the prescribed manner;
- (v) land required in connection with any other non-agricultural or industrial purpose to the extent approved by Government;
- (vi) any land awarded for gallantry, during the life-time of the grantee;
- (vii) sugarcane farms owned and operated on the date of commencement of this Act by sugar factories; and
- (viii) land not exceeding two hundred and forty acres of class III land or equivalent area of other classes owned and held under personal cultivation by any religious institution of a public nature on the date of commencement of this Act.

4. Gujarat Agricultural Lands Ceiling Lands Acts, 1960

- (i) Lands held in compact blocks of efficiently managed farms on which heavy investments or permanent structural improvements have been made and breaking of which will lead to a fall in production;
- (ii) Lands leased to or held by bodies or persons for growing fruit trees and used for that purpose for not less than the last 3 years;
- (iii) Lands held or leased by approved Land Mortgaged Banks;
- (iv) Lands held or leased by approved co-operative societies for improvement of economic and social conditions of peasants or for ensuring the full and efficient use of land;
- (v) Lands leased or held by approved industrial undertaking which *bona fide* carries on any industrial operations;
- (vi) Lands being the property of a public trust for an educational purpose, hospital, Pinjrapole, Gaushala or an institution for public religious worship the entire income from which is for the purpose of the trust.

The lands in the categories mentioned above will be taken into account in computing the ceiling area of a person, but if the extent of land held under such categories exceeds the ceiling area, the person will not be permitted to retain other lands.

5. Jammu & Kashmir Big Landed Estates Abolition Act, 1950

- (i) Kah krisham areas (lands growing grass of krisham variety), araks (fuel plantations), kaps (grass lands) and such lands including those used for raising fuel or fodder, as are unculturable.
- (ii) Orchards.
- (iii) Any land owned by a co-operative society registered under the Co-operative Societies Act.

6. Kerala Agrarian Relations Act, 1960

- (i) Plantations of tea, coffee, rubber or cardamom or such other kind of special crops as may be specified by the Government. A planter would, in addition, be permitted to retain lands :—
 - (a) used by such person for any purpose ancillary to the cultivation of such crops ; or for preparation of the same for the market ;
 - (b) lands lying contiguous to the plantation for the expansion of plantation subject to a limit of 20% of its area ;
 - (c) agricultural lands interspersed and required for preservation and efficient management of the existing plantation if and to the extent considered necessary by the State Government ;
- (ii) Cashewnut plantations of 10 acres or more held in a compact block existing from before the 11th April 1957. In that case other lands to be retained by a holder of cashewnut plantation are not to exceed one-half of the ceiling area.
- (iii) Lands owned or held by a religious, charitable or educational institution of a public nature.
- (iv) Lands granted to defence personnel for gallantry, for the duration of their life-time.
- (v) Lands put to special use which the State Government consider necessary to exempt.

7. Madhya Pradesh Ceiling on Agricultural Holdings Act, 1960

- (i) Land held by a religious, charitable or educational institutions.
- (ii) Land held by industrial or commercial undertaking approved by Government.
- (iii) Land held for tea or coffee plantation or for purposes ancillary thereto.
- (iv) Sugar-cane farms operated by sugar factories.
- (v) Land used for orchard or mango groves upto 30 acres.
- (vi) Land held by Mortgage Banks.
- (vii) Land held by co-operative societies approved by Government.
- (viii) Land used for specialised farms engaged in cattle breeding etc.
- (ix) Land utilised by an efficiently managed farm whether mechanised or otherwise constituting compact block on which heavy investments or permanent structural improvements have been made and whose break-up is likely to lead to fall in production.
- (x) Any class of land which the State Government may exempt by notification.

8. Madras Land Reforms (Ceiling on Holdings) Act, 1961

- (1) Lands in any hill area ;
- (2) Plantations of cardamom, cinchona, coffee, rubber or tea in existence on the date of the commencement of the Act i.e., April 6, 1961 and any land interspersed among plantations or contiguous to any plantation in respect of which the Land Board has granted permission for the extension of plantation and for ancillary purposes not exceeding 20% of the area used for growing the plantation.
- (3) Lands converted on or before 1st July, 1959 into orchards or topes or arecanut gardens ;
- (4) Lands used exclusively for dairy farming or livestock breeding in respect of which the Land Board has granted permission ;
- (5) Any land used for the cultivation of sugarcane and in respect of which the Sugar Factory Board has granted permission ;
- (6) Any land held by a co-operative society, provided, however, that the share of each individual member in the lands of a co-operative Society will be taken into account in computing the ceiling area of the member ;
- (7) Lands held by educational institutions and universities;
- (8) Any land awarded for gallantry.
- (9) Gramdan and Bhoojan lands.
- (10) Lands held by industrial or commercial undertaking as approved by the State Government.
- (11) Lands used exclusively for growing fuel trees in existence on the date of the commencement of the Act.

9. Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961

- (i) Land held by a public trust for Pinjrapole or Goshala, or for educational or medical needs.
- (ii) Lands leased by Land Development Bank, or a Central Co-operative Bank or a Co-operative Society before 4-8-1959.
- (iii) Lands held by regimental farms approved by Government.
- (iv) Lands awarded for gallantry.
- (v) Lands held for stud farms approved by Government.
- (vi) Lands held by private undertakings for *bona fide* industrial or non-agricultural use.

There is no provision for exemption of sugarcane farms operated by a sugar factory. However, special provision has been made to ensure that the acquisition of such lands does not adversely affect the production and supply of raw material from such land to the factory.

10. Mysore Land Reforms Act, 1962

- (i) Lands under cultivation of cardamom, coffee, pepper, rubber and tea plantation.
- (ii) Orchards where they constitute in the opinion of the State Government reasonable compact areas.
- (iii) Specialised farms set apart for livestock breeding, dairying, wool raising, and other operations which are notified by the State Government.
- (iv) Sugarcane farms owned by sugar factories on the appointed day.
- (v) Efficiently managed farms which consist of compact blocks, on which heavy investment or permanent structural improvements have been made and whose break-up in the opinion of the Tribunal is likely to lead to a fall in production.

11. Orissa Land Reforms Act, 1961

- (i) Plantations of coffee and casuarina, tea, rubber, cashewnut, sisal and such other plantation as may be notified.
- (ii) Orchards used as such before the 30th March 1959.
- (iii) Specialised farms engaged in cattle breeding and dairy farming.
- (iv) Sugarcane farms operated by sugar factories.
- (v) Efficiently managed farm consisting of a compact block on which heavy investments or permanent structural improvements have been made and whose break-up is likely to lead to a fall in production.
- (vi) Lands held on the specific condition of performing service of public nature or rendering service to Government.
- (vii) Land held by a co-operative farming society provided no individual member holds more than ceiling area for personal cultivation.

12. Punjab Security of Land Tenures Act, 1953 (former Punjab area)

- (i) Orchard or tea estate in existence at the commencement of the Act.
- (ii) Co-operative garden colonies which were registered before April 15, 1953.
- (iii) Well run farms as determined under the Rules. (Rules have been framed for exemption of well run farms. For purposes of exemption, each farm will be inspected and allotted marks. The aggregate marks would be 1000. Half of them would be allotted on the basis of yields. The other half would be allotted on the basis of other criteria, such as lay out, cultivation and sowing practices, use of manures, soil conservation, plant protection, development of irrigation facilities, etc.).

- (iv) Lands granted to members of the armed forces of the Union for gallantry.

Pepsu Tenancy and Agricultural Lands Act, 1955

- (i) Orchards where they constitute reasonably compact areas.
- (ii) Specialised farms engaged in cattle breeding, dairying or wool raising.
- (iii) Sugar-cane farms operated by sugar factories.
- (iv) Efficiently managed farms which consist of compact blocks on which heavy investment or structural improvements have been made and whose break-up is likely to lead to a fall in production.
- (v) Lands belonging to registered co-operative societies formed for the purpose of co-operative farming provided the land owned by an individual member of the society does not exceed the ceiling limit.
- (vi) Lands held by religious and charitable institutions.
- (vii) Lands granted to members of armed forces of the Union for gallantry.

13. Rajasthan Tenancy Act, 1955 (amended in 1960)

- (i) Groves constituting contiguous and compact areas ;
- (ii) Sugar-cane farms, operated by sugar factories ;
- (iii) Co-operative agricultural farms efficiently managed, provided that no member's share in any such farm or farms shall exceed the ceiling area applicable to him ;
- (iv) Efficiently managed specialised farms registered in the prescribed manner for cattle breeding, horse breeding, sheep breeding, wool raising and dairying ; and
- (v) Other efficiently managed farms which consist of compact blocks and whose break-up is likely to lead to a fall in production.

14. Uttar Pradesh Imposition of Ceiling on Land Holdings Act 1960

- (i) Grove land existing on May 1, 1959.
- (ii) Land used for tea, coffee or rubber plantation or by pharmaceutical and such herbal and other plantations as the Government may notify.

- (iii) Land held by a religious or charitable waqf, trust or endowment on May 1, 1959 or held for purposes of educational institutions.
- (iv) Land acquired by any Co-operative Bank in lieu of mortgaged debt.
- (v) Specialised farms and farms exclusively devoted to poultry farming, dairying, etc.
- (vi) Land under cultivation of *pan, keora, bela, chambeli or gulab* in case the person surrenders all land under other cultivation.

15. West Bengal Estates Acquisition Act, 1953

- (i) Tea gardens including land for ancillary purposes.
- (ii) Orchards.
- (iii) Land used for live-stock breeding, poultry farming or dairying.
- (iv) Land held by religious or charitable institutions under khas possession.
- (v) Co-operative farming society provided that each member does not individually hold more than ceiling area.
- (vi) Land comprised in mill, factories, workshops and areas ancillary thereto.

16. Delhi Ceiling on Land Holdings Act, 1960

1. (a) Compact block of land used as an orchard farm before 10th February, 1959.
- (b) Efficiently managed farm which consists of compact block on which heavy investment or permanent structural improvements have been made and whose break-up is, in the opinion of the Chief Commissioner, likely to lead to a fall in production :

Provided that where a person holds the compact block of land together with any other land, he shall be permitted to elect to retain either the compact block of land, notwithstanding that it exceeds the ceiling limit, or the other land not exceeding the ceiling limit.

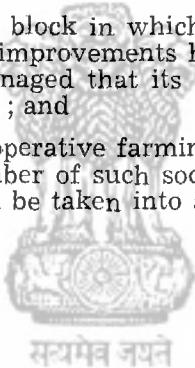
2. Specialised farm, engaged in cattle breeding, dairying wool raising.
3. Land held by a body notified by the Chief Commissioner under section 33 of the Delhi Land Reforms Act, 1954.
4. Land held by a co-operative society provided, however, where a member of such society holds a share in such land his share shall be taken into account in determining his ceiling limit.

17. Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953

- (i) Highly efficiently managed farms whose break-up is likely to lead to a fall in production.
- (ii) Orchards : (The area of an orchard will be taken into consideration for determining the ceiling, but the entire orchard will be left with the landowner).

18. Manipur Land Revenue & Land Reforms Act 1960 and Tripura Land Revenue and Land Reforms Act, 1960

- (a) Land used for growing tea, coffee and rubber including ancillary and extension purposes ;
- (b) Any sugarcane farm operated by a sugar factory ;
- (c) Any specialised farm used for cattle breeding, dairying or wool raising ;
- (d) Orchards in compact block before 1st January, 1958 ;
- (e) Farm in a compact block in which heavy investment or permanent structural improvements have been made and which is so efficiently managed that its break-up is likely to bring a fall in production ; and
- (f) Land held by a co-operative farming society : Provided, however, where a member of such society holds a share in such land his share shall be taken into account in determining the ceiling limit.



ANNEXURE XIII
SETTLEMENT ON LAND

Andhra Pradesh

Telengana Area

Surplus land vested in the Government shall be assigned to landless poor persons in the manner to be prescribed.

Assam

The surplus land is to be allotted in the following order :—

- (i) any cultivating tenant in occupation of land acquired from an owner on payment of an amount to be fixed by the Government but not exceeding the compensation payable by the State Government for acquisition thereof ;
- (ii) cultivator who has been rendered landless by the landlord or due to natural calamity (flood, erosion etc.) ;
- (iii) co-operative farming society formed by landless cultivators ; and
- (iv) landless cultivator.

Allottees mentioned in (ii), (iii) and (iv) are to be settled on such terms as may be prescribed.

In case of acquisition of land from a tenant held in excess of the ceiling limit the land will be settled on such terms as may be prescribed with the sub-tenant if any, or to categories (ii), (iii) and (iv) mentioned above, with the same status as was held by the tenant from whom the land had been acquired.

Bihar

The surplus land is to be allotted in the following order :—

- (a) under-raiyat in occupation of surplus land will be entitled to acquire status of raiyat on payment for a period of 30 years Rs. 37·50 per acre in case of occupancy under-raiyats and Rs. 43·75 per acre in case of non-occupancy under-raiyats.
- (b) Surplus lands not in possession of under-raiyats will be entrusted to Gram Panchayats for management and cultivation as far as possible through a co-operative farming society on such terms and conditions as may be prescribed. The new allottee shall pay Rs. 50 per acre (class I land) per year for a period of 30 years except in case of co-operative society in which case a prescribed amount is payable.

Gujarat

Lands will be allotted in the following order of priority :—

- (i) person from whom any land held by him as tenant has been resumed by landlord for personal cultivation, and who consequently is rendered landless or holds land less than 5 acres of dry land ;

- (ii) co-operative farming society of agricultural labourers, landless persons or small holders or a combination thereof.
- (iii) small holders ;
- (iv) landless persons ; and
- (v) agricultural labourers.

The occupancy price payable by new allottees shall be an amount equal to compensation paid for the land as prescribed under Rules.

Jammu & Kashmir

The tenant, if any, in occupation of surplus land shall acquire ownership without payment of any premium. He shall be liable to pay land revenue and other dues formerly payable by the proprietor.

The manner in which surplus lands on which there are no tenants are to be utilised was to be prescribed in Rules. (It is reported that most of it has been allotted to displaced persons.)

Kerala

The surplus lands after reserving in each village lands necessary for public purposes shall be assigned as specified below :—

- (a) The holdings in which there are Kudikidappukars shall as far as possible be assigned to such Kudikidappukars ;
- (b) of the remaining area ;
 - (i) 25% to landless agricultural labourers belonging to Scheduled Castes or Scheduled Tribes ;
 - (ii) 25% to other landless agricultural labourers ;
 - (iii) 35% to small holders and other landlords not entitled to resume any land ; and
 - (iv) 15% to cultivators who do not possess 5 acres of double crop paddy land.

Preference will be given to Co-operative Societies formed by persons in the specified classes ;

Kayal or Kole Nilam shall be assigned only to co-operative societies of landless agricultural labourers.

The new assignee shall pay value of structures, wells and embankments and 55% of the market value of land in 16 equal annual instalments.

Madhya Pradesh

Surplus lands shall be allotted in Bhumiadari rights in the following order of priority :—

- (i) joint farming society of agricultural labourers and landless persons ;
- (ii) better farming society of agricultural labourers and landless persons ;

- (iii) agricultural labourers;
- (iv) landless persons;
- (v) displaced tenants;
- (vi) holders of contiguous land;
- (vii) joint farming society of agriculturists;
- (viii) better farming society of agriculturists;
- (ix) any other co-operative society; and
- (x) agriculturists holding less than 25 standard acres.

The allottees shall pay in lump sum premium equivalent to the compensation payable for acquisition of such land by the State or in 20 annual equal instalments with interest at 3 per cent per annum.

Madras

Surplus lands vested in the State Government shall be disposed of in accordance with the rules to be approved by the State legislature.

A person who is completely dispossessed of his holding or whose holding is reduced below 3 standard acres will be given preference. Surplus land held by a sugar factory as a tenant or a possessory mortgagee will be disposed of according to the recommendations of the Sugar Factory Board.

Maharashtra

- (i) (a) Tenants rendered landless by resumption of land for personal cultivation,
- (b) Persons rendered landless or whose holding is reduced below 1/6th of the ceiling area as a result of acquisition of land for execution of irrigation or for any public purpose;
- (ii) a joint farming society of agricultural labourer, landless persons or small holders;
- (iii) a farming society of the persons in (ii) above;
- (iv) ex-servicemen;
- (v) agricultural labourers;
- (vi) landless persons;
- (vii) small holders.

Mysore

Surplus land to be granted in the following order of priority:

- (i) displaced tenants having no land;
- (ii) landless agriculturists and agricultural labourers;
- (iii) tenants, displaced tenants and owner-cultivators with less than a basic holding;
- (iv) tenants, displaced tenants and owner-cultivators with less than a family holding; and
- (v) other persons desiring to take up personal cultivation.

Preference in each category will be given to those who are members or agree to be members of co-operative farming societies.

The grantee shall pay 10 times the average net annual income either in lump sum or in annual instalments not exceeding 20 with interest at 4 per annum.

Orissa

The surplus land is required to be disposed of in the following order of priority:—

- (i) an evicted tenant with less than a basic holding ;
- (ii) contiguous raiyat holding a basic holding or less ;
- (iii) person possessing not more than one standard acre under personal cultivation ;
- (iv) landless person ;
- (v) any other raiyat holding land not exceeding one basic holding ;
- (vi) a contiguous raiyat holding land less than his ceiling limit ; and
- (vii) any other agriculturist holding land less than his ceiling limit.

Preference in each category will be given to those who are members of cooperative farming society.

The landholder is permitted to dispose of land directly within specified period according to the above priorities at such price as may be agreed upon. On expiry of the period the revenue authority can dispose of land at a price equal to market value of similar lands in the locality. The price will be payable in 3 equal annual instalments. There is no provision for State acquisition of land. Provision for State acquisition of land is proposed in the Amendment Bill.

Punjab

Pepsu area

Surplus area is to be allotted according to the following order of priority :—

- (a) tenants liable to ejectment by landlord on grounds of personal cultivation ;
- (b) landowners or tenants with less than 5 standard acres in order to make their holdings equal to 5 standard acres, and landless agricultural workers ;
- (c) for the development of co-operative farms or seed farms or efficient management of land.

The price payable by the new allottee shall be prescribed by the State Government and it will be payable in a lump sum or annual instalments not exceeding 20. The amount to be prescribed shall be fixed having regard to the aggregate amount payable by the State Government for acquisition of the lands.

Punjab area

Surplus lands shall be settled with tenants ejected or to be ejected by landlord for personal cultivation. There is no provision for State acquisition of the surplus land. The allottee shall hold land as tenant under the landlord and will pay rent not exceeding 1/3rd of the produce.

Rajasthan

The surplus land which would vest in the State will be let out to landless and other persons in the manner prescribed. The payments to be made by the allottee will also be prescribed in the Rules.

Uttar Pradesh

Land upto 15 acres will be settled with the Gaon Samaj for community purposes. In the case of the balance of surplus land:

- (a) if the available land is less than 15 acres in the village it will be allotted to a co-operative farming society of uneconomic holders, who have less than $3\frac{1}{2}$ acres each;
- (b) if it exceeds 15 acres the land will be given to a co-operative farming society of landless agricultural labourers;

Regarding mechanised farms provision has been made that the surplus land will be run as a State farm, in appointment of the managers preference will be given to the ex-proprietors provided they possess requisite qualifications.

The terms and conditions on which land is to be allotted would be prescribed in Rules.

West Bengal

Lands shall be settled on such terms and conditions as may be prescribed to persons who are residents of the locality and intend to bring the land under personal cultivation and who own no land or less than 2 acres of land. Preference will be given to such of these persons who form themselves into co-operative farming societies.

No premium shall be charged by the State for such settlement.

Delhi

The excess land will be settled with such persons and on such terms and conditions as may be prescribed.

Himachal Pradesh

Preference for allotment of surplus lands shall be given in the following order :—

- (i) a co-operative farming society ;
- (ii) an agricultural worker working on the land ;
- (iii) a landowner or tenant who cultivates personally less than 5 acres of land ; and
- (iv) a landless person who ordinarily resides in the village.

Manipur and Tripura

The excess land will be settled with such persons and on such terms and conditions as may be prescribed.

ANNEXURE XIV

PROVISIONS FOR PREVENTION OF FRAGMENTATION OF HOLDINGS

Andhra Pradesh

Telangana Area

The Hyderabad Prevention of Fragmentation and Consolidation of Holdings Act, 1956, is applicable to this area. The law provides for determination of standard areas (the standard area means an area below which it will not be profitable to cultivate). Transfer and lease of a fragment is prohibited except to a holder of a contiguous land. A holding cannot be alienated, leased or sub-divided so as to create a fragment. Transfer of a consolidated holding is prohibited except under conditions to be prescribed; sub-division of a consolidated holding cannot be made without the permission of the Board of Revenue.

These provisions have not been enforced.

Besides the Hyderabad Tenancy and Agricultural Lands Act, 1950 which is applicable to this area provides for restriction on transfers which would result in reduction of transferor's holding to an area less than a family holding.

Andhra Area

There is no law for prevention of fragmentation applicable to this area. Legislation has, however, been promoted to extend the Hyderabad Prevention of Fragmentation and Consolidation Holdings Act, 1956, to this area.

Assam

The Assam Rural Panchayat Act authorises the panchayats to regulate transfers and partitions within its jurisdiction so as to prevent fragmentation. No transfer may be made to any person who is not an owner of contiguous land which would create a fragment of less than four acres.

With regard to partitions, no single block of land within the jurisdiction of a panchayat may be allowed to be partitioned if such partition results in a share holder having a holding of less than 12 standard bighas in that particular block of land. If the land is not adequate for all co-sharers, the panchayat may settle land with some and realise compensation from those settled with land on behalf of the rest. Those who do not get land will be entitled to a share in the produce as determined by the Panchayat till the payment of compensation for the land.

The Assam Government have reported that the above provisions have not yet been enforced.

The Assam Land and Revenue Regulation, 1886, prohibits partition of an estate which would result in an estate yielding less than Rs. 5 as land revenue.

The Assam Consolidation of Holdings Act, 1960, provides for prevention of fragmentation. Under the Act no land shall be transferred or partitioned so as to create a plot of less than 5 bighas. A plot of land less than 5 bighas cannot be transferred or mortgaged except to the owner of a contiguous plot or the State Government or Land Mortgage Bank or Cooperative Society as security for a loan. No new lease can be given of a plot of less than 5 bighas except to the actual tiller of the contiguous plot. Partition of a plot of land less than 5 bighas is prohibited.

Bihar

In Bihar, provisions for prevention of fragmentation have been made in the Consolidation of Holdings and Prevention of Fragmentation Act of 1956. These provisions became applicable to areas where a scheme of consolidation of holdings is taken up. While preparing the scheme of consolidation, the consolidation officer is to determine the minimum area profitable for cultivation, i.e., an area the income from which will balance expenditure and will leave a margin of profit of at least 5% on the total outlay. Area which is less than the minimum is called a fragment. No person can transfer any fragment except to a co-sharer or to a person having land adjoining such fragment. After a holding has been consolidated it cannot be transferred or otherwise dealt with in such a way as to create a fragment. There is no restriction, however, on partition of fragments.

Bombay (Gujarat and Maharashtra)

Bombay has been the pioneer State in preventing fragmentation of holdings. Provisions for prevention of fragmentation were made in the Bombay Prevention of Fragmentation and Consolidation of Holdings Act of 1947. This Act was applicable in the first instance to the pre-reorganised State of Bombay excluding the transferred territories. By an amendment, the Act has been extended to the transferred territories also, i.e., Marathawada, Saurashtra, Vidarbha and Kutch and the laws previously applicable to transferred territories have been repealed.

The main provisions are as follows:—

(i) The Act provides for determining a 'standard area' with reference to different regions in the State. The 'standard area' is a plot of size below which profitable cultivation would not be possible. Such 'standard area' is determined in each district in consultation with the District Advisory Committee. The standard area varies from 1/4th of an acre to 4 acres according to the class of land.

All plots of land which are smaller than the 'standard area' thus determined, are declared fragments and entered in the village records. A plot for this purpose may extend over several survey numbers.

(ii) A transfer (other than lease) of a fragment cannot be made except to the owner of a contiguous survey number or recognised sub-division of a survey number. An exception is made in order to facilitate the advance of loans by Government, land mortgage banks or co-operative societies on the security of land. In such cases, the owner of the fragment can mortgage the land to the Government, land mortgage bank or the co-operative society, as the case may be. A lease of a fragment can be made only to a person who is in cultivating possession of land contiguous to the fragment.

There is no explicit provision preventing the partition of a fragment.

(iii) No plot of land which is equal to or larger than the standard area can be transferred or partitioned in such a way as to create a fragment. There is, however, no such restriction on leasing of a plot.

(iv) It will thus be observed that in respect of fragments, transfer and leasing is regulated but partition is not explicitly prohibited whereas in respect of larger areas transfer or partition is regulated but lease is not prohibited.

In proceedings for partition, the following procedure is to be adopted. If a co-sharer cannot be given his due share without creating a fragment he is to be compensated in money for his share. The amount of compensation is to be determined in accordance with the provisions of the Land Acquisition Act. In determining which of the co-sharers should get the land and which others should get compensation, the matter is to be decided either by agreement or by drawing lots. If none of the co-sharers to whom land is allotted pays the compensation, the share shall be sold in auction and the purchase money paid to the co-sharers not getting land in proportion to their respective shares.

(v) A penalty has been provided for transfer or partition contrary to the provisions of the Act. Such a transfer or partition shall be void and the owner shall be liable to a fine upto Rs. 250. Any person who takes possession of land which has been transferred or partitioned in contravention of the law shall be liable to ejection.

(vi) As there may be cases where an owner of a fragment may be unable to transfer his plot of land under the conditions imposed by the law, a provision has been made which entitles an owner of a fragment to transfer the land to the State Government on payment of compensation at market value.

Additional provisions have been made with regard to areas which have been consolidated. These provisions relate to the holding of an individual and not to separate plots. The law provides that no transfer shall be made except in accordance with such conditions as may be prescribed. The rules provide for the following order of priority according to which the land shall be offered for transfer:—

- (i) the tenant of the holding or his heirs ;
- (ii) the owner of the adjoining holding provided he cultivates it personally or to the tenant of the adjoining holding ;
- (iii) such bona fide cultivators in the village as have insufficient land of their own for their maintenance.

No sub-division of a holding shall be made except with the permission in writing of the State Government.

Jammu & Kashmir

The Jammu & Kashmir Consolidation of Holdings Act provides for consolidation only. There is no provision for prevention of fragmentation.

Kerala

There is no law for prevention of fragmentation.

Madhya Pradesh

The Madhya Pradesh Land Revenue Code 1959, provides for regulation of transfers and partitions which result in fragmentation. No land may be transferred to any person other than a co-operative society or an institution established for religious or charitable purpose by way of sale, gift or otherwise which will result in a holding the area of which is below 5 acres of irrigated land or 10 acres of unirrigated land. If the entire holding consists of less than the area mentioned above, it can be transferred freely without restriction. Where possession of land is transferred in contravention of the above provision, any person who would inherit the holding may within 2 years of such transfer apply to the Collector to be placed in possession thereof.

No partition will be allowed if it results in creating a holding of less than 5 acres of irrigated land or 10 acres of unirrigated land. In such a case the Revenue Officer may direct the sale to the co-sharer who is willing to purchase at the price determined by the Revenue Officer. If two or more co-sharers are willing to purchase, the sale will be made to such one of them as offers to pay the highest price above the price determined by him. If none of the co-sharers is willing to purchase at the price determined by the Revenue Officer he may direct the sale of the entire holding by public auction and distribute the proceeds in accordance with the respective interests in the holding.

The above provisions have come into force with effect from October 2, 1959.

Madras

There is no legislation for prevention of fragmentation.

Mysore

(a) *Bombay Area*

The Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 is applicable.

(b) *Karnataka Area*

As in Telangana area of Andhra Pradesh. We have no information whether these provisions have been implemented in Karnataka area or not.

(c) *Mysore Area*

There is no law for prevention of fragmentation.

(d) *Coorg Area*

There is no law for prevention of fragmentation.

(e) *Madras Area*

There is no law for prevention of fragmentation.

(f) Bill for entire State

Under the Mysore Prevention of Fragmentation and Consolidation of Holdings Bill, 1960, no person shall transfer or lease a fragment except to the owner of a contiguous land or to the State Government or a co-operative society. No such fragment shall be subdivided or partitioned. Transfers and partitions which would result in creation of fragments have been prohibited.

Orissa

The Orissa Agriculture Act of 1951 includes provisions on the lines of Bombay but the Act has not been enforced.

Punjab

Legislation in Punjab is generally based on the same principles as in the Bombay law. The provisions have not, however, been enforced.

Rajasthan

The Rajasthan Tenancy Act, 1955 provides that no holding may be divided so as to result in holdings of less than the minimum area prescribed by the State Government. The minimum area for this purpose has been fixed at 1/10th of the minimum area fixed for being left with the tenant before a landholder can resume any land for personal cultivation. It varies between 1.56 to 12.5 acres. A holding means a parcel or parcels of land under one lease, engagement or grant and not the entire land held by a person who has interest in more than one holding.

If in a suit for division the court finds that such division will result in shares of less area than the prescribed minimum, the holding (or holdings) shall be disposed of in the following manner and the sale proceeds distributed among the persons concerned. The court shall fix the valuation of the holding and offer it for sale in the following order of priority :—

- (a) A co-tenant of the holding.
- (b) A sub-tenant of the holding.
- (c) An agricultural or other labourer or servant of the village community who permanently resides in the village.
- (d) A person not being the land holder who cultivates land and resides in the village.
- (e) A land holder.

If two or more persons belong to the same category and claim to purchase the holding, preference will be given to the person who cultivates the smaller area in the village ; and where two or more claimants cultivate the same area, the claims shall be decided in the manner prescribed.

There is a further provision for prevention of fragmentation in the Rajasthan Holdings (Consolidation and Prevention of Fragmentation) Act. No land in any notified area shall be transferred or partitioned so as to create a fragment.

A fragment can be sold to the land holder or tenant of a contiguous survey number or recognised sub-division of a survey number at a price to be fixed by the Collector and in the case of his refusal to purchase the land at the determined price it may be transferred to the State Government at the determined price. A further provision has been made that land may be transferred to a tenant of a contiguous survey number with the prior sanction of the Collector on such terms as may be agreed to between the owner and the tenant.

A provision has also been made prohibiting partition or separation of shares of an undivided estate in any notified area where such partition or separation would result in a fragment.

A fragment has been defined as a plot of land of an area less than the minimum area necessary for profitable cultivation as may be fixed by Government.

Uttar Pradesh

In Uttar Pradesh there are no restrictions with regard to transfers. However, in suit for partition of a holding which does not exceed 3-1/8 acres, the holding is to be put up for sale and the sale proceeds distributed among the co-sharers. There are no restrictions on partition of holdings exceeding 3-1/8 acres.

There is a special provision for areas in which consolidation of holdings has been completed. The transfer by sale, gift or exchange of a fragment situated in such area is void unless either the entire plot of which it forms part is thereby transferred or the transfer is made in favour of a tenure holder of the adjoining plot. A fragment means an area less than 6-1/4 acres in some parts of the State and less than 3-1/8 acres in other parts. Where a transfer has been made in contravention of the above provision, the transferee shall be liable to ejectment on the suit of the Gaon Sabha or the land holder and the rights and interests of the transferee shall be extinguished.

West Bengal

Under the West Bengal Land Reforms Act, 1955, partition among co-sharers which results in creating shares of less than standard area prescribed by the State Government is not allowed. These provisions have not been brought into force. There is no provision for regulation of transfers with a view to prevention of fragmentation.

UNION TERRITORIES

Delhi

The East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 has been adopted. But the provisions relating to the prevention of fragmentation have not been enforced.

The Delhi Land Reforms Act, 1954 provides as follows :—

- (i) A transfer is not to be permitted whereby the transferor is left with a holding of less than 8 standard acres. If a transfer is made in contravention of this provision the transferee is liable to ejectment and the land will be vested in the Gaon Sabha. There is, however, no restriction on a transferee acquiring less than 8 standard acres provided the transferor is left with 8 standard acres.

- (ii) Where in a suit for partition the aggregate area of the holding or holdings does not exceed 8 standard acres, the holding is to be put up for sale and the sale proceeds distributed among the rightful claimants. If the area of a holding exceeds 8 standard acres and its partition will result in holding of less than 8 standard acres, the court may divide the holding in accordance with the principles as may be prescribed or in the alternative dismiss the suit. Under the Rules in such cases also the holding is to be put up for sale.

Himachal Pradesh

Under the Himachal Pradesh Consolidation of Holdings Act, 1954 there is no provision for prevention of fragmentation. Legislation for prevention of fragmentation is, however, under the consideration of the Himachal Pradesh Administration.

Manipur & Tripura

In the Land Reforms Acts provisions have been made for prevention of fragmentation.



PART II
CENSUS OF LAND HOLDINGS AND CULTIVATION



CENSUS OF LAND HOLDINGS AND CULTIVATION

Detailed and reliable data regarding land holdings is necessary both for taking policy decisions with regard to land reforms as well as for implementing the decisions that may be reached at. When the land policy for the First Five Year Plan was under consideration in the Planning Commission, an enquiry was addressed to the State Governments to furnish the data available with them. The data received from the State Governments were reproduced in a summary form in the Annexure to the Chapter on Land Policy in the First Five Year Plan. The available information was quite meagre. The data were also defective in some respects. Firstly, they did not distinguish between cultivated and un-cultivated land, and, in respect of land under cultivation, between different classes of land. Secondly, they did not provide for the changes which had taken place during the past few years on account of abolition of intermediary rights, tenancy reforms, merger of new territories, etc. It was also generally not known how much area was held by tenants and how much was under personal cultivation of owners. While the principle of ceiling on land holdings was accepted in the First Five Year Plan, it was felt that much more detailed data would be required than was available then in most States for working out and implementing the limit that may be fixed. With these considerations in view, it was recommended in the First Five Year Plan that all States should cooperate in undertaking a census of land holdings and cultivation.

2. In January 1954 the Ministry of Food and Agriculture, in consultation with the Planning Commission and the Central Statistical Organisation addressed a letter to the State Governments requesting them to draw up a programme for conducting the census. It was proposed that—

- (i) the census should relate to agricultural lands comprised in owners' holdings ;
- (ii) it should be carried out by the revenue agency in each State as a special operation ; and
- (iii) the responsibility for carrying out the census would rest with State Governments.

A copy of the letter is at appendix I

Some tentative suggestions were set out in the letter for consideration of the State Governments to ensure the adoption of uniform concepts and definitions. It was contemplated, however, that these suggestions could be suitably adapted to local conditions in the States. The State Governments were asked to try out these suggestions on a small scale in a few villages before working out detailed programmes so that their proposals for carrying out census of land holdings and cultivation were based on practical experience.

3. It was proposed that, as far as possible, census should be based on complete enumeration of all holdings. This was considered necessary so that the data thus collected might be useful not only for making policy decisions with regard to the ceiling limit but also for locating holdings above the proposed limit. Complete enumeration of

holdings was proposed for areas where up-to-date village records were available. In respect of areas for which village records were not maintained, a sample survey was suggested.

4. A conference was called in November, 1954 of the principal officers deputed by the State Governments to examine the various concepts and definitions relating to census and suggest measures for expediting the census. In the light of these discussions, the concepts, definitions and procedures for conducting the census were finalised. To expedite matters it was also decided at the conference that the State Governments should have the discretion to confine census to larger holdings i.e., holdings of 10 acres and above, where they considered it necessary to do so in order to complete the work in time; although it was generally agreed that it would be advantageous to take into account smaller holdings also wherever feasible. Consequently, census based on complete enumeration of all holdings was conducted in the former States of :—

1. Andhra,
2. Bombay,
3. Madhya Pradesh,
4. Madras,
5. Hyderabad,
6. Saurashtra,
7. Madhya Bharat,
8. Ajmer,
9. Bhopal, and
10. Kutch.

In the following States it was based on enumeration of holdings of 10 acres and above, namely,

1. Punjab,
2. Mysore,
3. Pepsu,
4. Delhi,
5. Coorg,
6. Himachal Pradesh, and
7. Vindhya Pradesh.

5. In the above States, the census was conducted by retabulating the data contained in the village records. Supplementary enquiries were made only where complete data were not available in the records. For instance, in States like Andhra Pradesh and Madras, where information regarding leasing of lands was not shown in the records, it was collected by field enquiries by the revenue agency. Also where mutations had not been incorporated in the records the data in the records were supplemented by local enquiries. Besides the areas where holdings were shown as joint but the names of co-sharers were not shown in the records, local enquiries were made to ascertain the share of each co-sharer.



6. In Uttar Pradesh the annual village records are maintained up-to-date. The revenue staff was, however, pre-occupied with the implementation of the land reform legislation and consolidation of holdings and the State Government felt it difficult to carry out the census based on complete enumeration of holdings. A sample survey was, however, carried out in 204 villages which constituted the central sample in the 8th round of the National Sample Survey. The scheme of sampling was briefly as below :—

The villages were distributed over the State according to the Natural Divisions of Census 1951 in proportion to the agricultural population of the Divisions (excluding agricultural labour). The Natural Divisions were stratified into groups of tehsils which were homogeneous with respect to the net cropped area per head of agricultural population. Four villages were selected from each sub-division with probability proportional to population and with replacement. All the households in each selected village were enumerated.*

7. In Rajasthan village records were in the process of re-construction. Although a revenue agency had been appointed, it was not fully in the saddle. It was felt, therefore, that it would be difficult to have a complete enumeration of holdings throughout the State and to suit administrative convenience, it was decided that the census might be taken up in one selected tehsil of each district where records had been completed and trained revenue agency was available. Thus, 22 tehsils were selected in which all holdings were enumerated by re-tabulation from the records by the revenue agency under the overall supervision of the Chief Statistical Officer.

8. In Bihar, Orissa and Kerala (Travancore-Cochin) there are large areas which have not been cadastrally surveyed or were surveyed a long time ago and annual village records were not maintained. It was felt that census based on complete enumeration of all holdings of even 10 acres or above would not be a practicable proposition and it was decided that a sample survey may be held in these States.

9. In Bihar, the survey was carried out in 288 villages which constituted the State sample for the 8th round of the National Sample Survey. The Bihar Government, however, felt that the data collected in the survey did not represent even approximately a correct picture of ownership and cultivation of agricultural land in the State for the following reasons :—

(i) The investigators were severely handicapped because they had no reliable or up-to-date records of any kind from which they could make any checks.

(ii) The results were vitiated by the bias and the exaggerations with which answers were given by the cultivators to the investigating staff. The ryots, for instance, being obsessed by the two fears of having a ceiling on their lands and having to lose their lands to under-ryots in possession, minimised on one hand the areas of land

*In the National Sample Survey (eighth round) a further stratification was made according to sizes of household ownership holdings operational holding and principal means of livelihood of the household and from each group, a sample of households was taken for study.

held by them, and also the areas of land given by them on crop-sharing basis to under-ryots. On the other hand, the under-ryots exaggerated the areas of land which they were cultivating on crop-sharing basis.

(iii) The figures are based on a sample of only 288 villages out of a total number of 70,000 villages in the State and thus the element of error therein is very large.

The Bihar Government, therefore, considered that till such time that the land records are re-constructed by them, it is not possible to draw up a precise and dependable picture representing the correct statistics regarding ownership and cultivation of agricultural land.

10. In Orissa, an elaborate economic enquiry covering the whole State based on random sample survey had been taken up under the supervision of Prof. D. R. Gadgil of the Gokhale Institute of Politics and Economics, Poona. The State was divided for this enquiry into 'grids' of 10 square miles each and 173 grids were selected for the random sample survey. Within each 'grid' stratified random samples, of holdings were drawn and studied in detail with an elaborate questionnaire. The data required for the census of land holdings was collected by re-tabulation of the data obtained in this enquiry. In the retabulation, holdings above 10 acres alone were taken into account.

11. As regards Kerala, in District Malabar which formerly formed part of Madras and where village records are maintained, a complete enumeration of all holdings has been made. In the Travancore-Cochin area, the census has been based on random sampling. The sample size was 10 per cent i.e., 708 villages. The village records showed details regarding ownership only and not leasing. Accordingly, the census in the area was conducted in two stages. In the first stage data about ownership were compiled from the records. In the second stage, information regarding area leased by owners of lands in the selected villages was collected by local enquiries by the staff of the Directorate of Statistics. Information regarding soil classes was also collected by local enquiries.

12. In some States, there were pockets of unsurveyed areas. In Bombay information relating to unsurveyed villages was compiled by field enquiries by the revenue agency. In Mysore, in respect of inam villages which are unsurveyed, sample survey was conducted in 270 selected inam villages. In Himachal Pradesh, village records were not maintained in District Chamba and there the enumeration was based on a sample of 94 villages.

13. The census was not taken in Assam, Jammu & Kashmir, West Bengal, Manipur and Tripura. In Assam, the Government had carried out economic surveys in all plain districts based on random sampling in which considerable data regarding land holdings was also collected. On the basis of the available data, the Assam Government had also taken decision with regard to the level of ceiling. They did not, therefore, consider it necessary to carry out the census of land holdings and cultivation.

In Jammu & Kashmir, a ceiling on land holdings had been fixed as early as 1950 and census of land holdings was not, therefore, considered an urgent necessity.

In West Bengal also where considerable data regarding land holdings had been collected as part of the Population Census of 1951, the Government had determined their land policy including ceiling on land holdings on the basis of the available data. Further enquiries were, therefore, not considered necessary by the State Government.

In Manipur and Tripura, due to difficulties of terrain and lack of trained personnel the proposal for census of land holdings and cultivation was dropped.

Agency

14. The census has been carried out by the revenue agency of the State Government as a special operation. A senior officer of the Revenue Department was put in charge of the census operation and was designated as Principal Officer for census of land holdings and cultivation. In Rajasthan and Bihar the operations were, however, supervised by the State Directorate of Statistics. In the former State of Travancore-Cochin also enquiries were made and supervised through the staff of the State Directorate of Statistics. Generally no special staff was appointed for conducting the census. Some small remuneration was given to the staff in some States for the special work relating to the census. Detailed instructions were worked out in each State outlining the concepts, definitions and procedures. These instructions were translated in local languages and printed copies were supplied to the staff members. Besides, the staff was given preliminary training at selected centres in the methodology of the census.

Pilot surveys

15. In order to gain practical experience, pilot surveys were carried out in several States in a few selected villages before undertaking the enumeration connected with the census of land holdings and cultivation.

| state* | number | villages in which pilot surveys were conducted |
|---------------|--------|-------------------------------------------------------------------------------------------------------|
| Bombay† | four | two in Khed taluka and two in Indapur taluka. |
| Madras | N.A. | In selected villages of Tirunelveli North, Arcot, Chingulpet, Tanjore, Malabar & South Kanara Distts. |
| Madhya Bharat | five | two in Gird Distt., one in Bhind Distt. and two in Morena Distt. |
| Saurashtra | five | in Sorath Distt. |
| Bhopal | two | in Sehore Distt. |
| Coorg | six | in Coorg. |
| Kutch | two | Mirzapur & Naranpur Distts. |

*states prior to reorganization.

†Maharashtra and Gujarat.

N.A.—not available.

Concepts and Definitions

16. The object of the census was to collect essential data relating to the holdings and cultivation of agricultural land. Accordingly, information has been collected in the census regarding :

- (a) the pattern of ownership of agricultural land ;
- (b) leasing of land, and
- (c) the distribution of owned area under personal cultivation.

As regards the pattern of cultivation, it was felt that it would be enough for purposes of policy decisions relating to tenancy reform and ceiling on holdings to restrict the scope of the enquiry to the owned area under personal cultivation disregarding the area that may be held on lease. The latter data would have necessitated field enquiries in most cases which would have involved a considerable work load for the revenue staff. Besides, data regarding pattern of cultivation were already available in the Agricultural Labour Enquiry and elaborate data were being collected in the 8th round of the National Sample Survey.

17. The concepts employed in the census were explained in the annexure to the Government of India letter of January 8, 1954. These concepts were later discussed at the conference of the representatives of the State Governments, in November, 1954 and some local adjustments were allowed in a few States taking into account the special tenures obtaining there. The concepts and definitions employed are outlined below :

(i) Agricultural land :

Census relates to agricultural lands only. Agricultural land has been defined as the cultivable area comprised in a holding, including groves and pastures. Unoccupied area such as forest land and other uncultivable land has been excluded. All lands held jointly by the proprietary body or the village community, whether cultivated or uncultivated, have also been excluded from the scope of the census as they are not held under rights of exclusive possession and do not, therefore, constitute a holding. Small forested areas and cultivable waste comprised in a holding have, however, been taken into account. In former Hyderabad, where census had been taken up some time in 1952-53, all lands including the forest land, the uncultivable lands comprised in owners' holdings have also been enumerated.

Lands (cultivated as well as uncultivated) held in urban areas, i.e., lands included within the limits of Corporation, Municipality, Cantonment, Town area or Notified area have also been excluded.

(ii) Area owned :

Only the lands comprised in owners' holdings have been taken into account. Lands in which ownership rights have not accrued to any person have been left out of enumeration, such as, Government lands held on temporary leases. The expression 'area owned' means land held as owner as well as land held under rights of occupancy. An occupancy right has been deemed to exist where the holder of land has a minimum right of permanent heritable possession.

An area of land owned by A but held under right of occupancy by B has been shown as B's land and not as A's land. If two or more sets of rights obtained in the same piece of land, the land has been shown in the name of the inferior most holder with a right of occupancy.

An area of land mortgaged with possession has been included in the holding of the mortgagee and excluded from the holding of the mortgagor. There is, however, one exception to this rule. In Travancore-Cochin the mortgagor has been treated as the owner and not the mortgagee.

The question as to what constitutes ownership of land was considered at length in the conference of the Principal Officers from the States. Two different approaches had been made in this connection i.e., (i) the one adopted in the Population Census of 1951 and the 8th round of the National Sample Survey which accepted as owner any person who had permanent and heritable right in the land whether as tenant or as full proprietor was deemed to be the owner of land. In the Agricultural Labour Enquiry only such persons as held full proprietary rights in the land were accepted as owners of land. For several considerations it was decided that it would be best from the point of view of the objective in view to accept the former concept which alone would give a more realistic picture.

Some difficulty in the application of this concept of ownership was experienced in border-line cases such as protected tenants in former Bombay and Hyderabad, unauthorised occupants of Government lands in Madras, Mysore and Hyderabad and holders of Government land on annual leases for fixed periods and service tenures in most States. As the main purpose for which census was being conducted was to determine the extent of land that would be available for re-distribution by the fixation of ceiling at a given level, it was decided that land holders who had, for all practical purposes, got permanent and heritable rights and were not likely to be ejected, might be treated as owners in order to give a realistic picture. Each State Government was requested to examine the position from this point of view and take decision with regard to such border-line cases and accordingly prepare a list of tenures to be treated as ownership tenures for purposes of the census.

In the concept of ownership, thus adopted an owner may hold land from Government or from another owner or partly from Government and partly from another owner.

(iii) Holding :

A holding has been defined as the area of agricultural land owned by an individual throughout the State. Where two or more persons held land jointly, the share of each co-sharer has been shown separately in his respective holding.

As stated earlier, in the case of joint holdings in which the names of co-sharers of a holding were entered in the records, the share of each co-sharer was determined according to the shares shown in the records. Where the shares were not shown in the records, local enquiries were made.

In the case of joint family holdings, however, where the name of a person was entered as the manager of a joint family, it was felt that it would be very difficult to make enquiries regarding all the persons who were entitled to a share in the holding and their respective shares. It was decided that in such cases, the holding may be treated, for the purposes of the census, as belonging to the person in whose name it was recorded. A note to this effect was, however, to be made in the remarks column of the basic record of the individual holdings so that this fact might be kept in view when the data were to be utilised in the enforcement of the land reform laws. Where the names of co-sharers in a joint family holding were shown in the records, the share of each recorded co-sharer constituted a separate holding for purposes of the census.

(iv) *Area leased :*

In each State, the definition of the expression 'lease' as obtained in the local law has been followed. Any uniform definition of lease, it was felt might lead to difficulties. As stated earlier, in respect of a permanent lease, the lessee has been deemed to be the owner of land and the leased area has been shown in the holding of the lessee and excluded from the holding of the lessor. The leased area, thus, represents only such portion of the leased land in which permanent and heritable rights have not accrued to a tenant.

(v) *Area under personal cultivation :*

'Area under personal cultivation' means land owned other than the land leased for a period of one year or more to a tenant, sub-tenant, under-riayat etc. Thus, area under personal cultivation includes land comprised in an owner's holding whether it is cultivated or not, provided it has not been leased out.

This concept of personal cultivation has been adopted in all States with minor variations. In Andhra, while current fallow lands have been included in area under personal cultivation, other fallow lands and agricultural waste-lands have been excluded. In Madras, lands left fallow during a normal year and 'mamool' waste have not been included. In Kutch also, culturable waste is not included in area under personal cultivation.

(vi) *Standard Acre :*

The value and productivity of land varies a great deal according to the class of soil, crop pattern, sources of irrigation, rainfall and other agricultural conditions and if adequate allowance for these factors is not made in the legislation for ceiling on holdings and other measures of land reforms, there may be hardship to some, while others may receive unduly favourable terms. It was, therefore, suggested that to permit comparison between different classes of land, it would be necessary for each State Government to work out a suitable scale based on such criteria as productivity, land revenue, rental or other considerations. Data available in revenue settlement reports, special enquiries, crop cutting surveys etc., may be utilised for this purpose. It was further suggested that such scales may relate to the State as a whole or different scales may be adopted for each region of the State, as may be convenient. An average acre of irrigated land or other lands of good quality in the State as

a whole or in a region thereof may be assigned the value of 16 annas and other classes of lands given correspondingly higher or lower values in annas. Land carrying a valuation of 16 annas may be described as a 'standard acre'. The precise method of giving comparable values to different classes of land had naturally to be worked out by each State having regard to local conditions, available information, etc.

Following these suggestions, standard acre formula has been adopted in the following States and areas, namely :—

1. Andhra Pradesh (Andhra area).
2. Gujarat.
3. Kerala.
4. **Madhya Pradesh.**
5. Madras.
6. Maharashtra.
7. Mysore (excluding Mysore area).
8. Orissa.
9. Punjab.
10. Rajasthan.
11. Uttar Pradesh.
12. Delhi.
13. Himachal Pradesh.

The concept of 'standard acre' adopted in different States has been set out briefly in appendix II.

Year to which the data relate

18. It was proposed that the enumeration should relate to the year 1952-53. It, however, came to notice that the land records from which the data were to be obtained were not up-to-date uniformly in all the States. Besides, the enumeration could not be taken up in all the States simultaneously. It was accordingly decided that the data should relate to the year previous to the year in which the enumeration took place and where the record was not available for the previous year, it should relate to the latest year for which the records were available. Thus, in Gujarat, Maharashtra, Madhya Pradesh and the Centrally Administered areas of Delhi and Himachal Pradesh, the data relate to 1952-53; in Madras and Mysore to 1954-55; in Uttar Pradesh to 1955-56; and in other States generally to 1953-54.

Census data

19. The data collected in the census of land holdings and cultivation, to the extent they were available at the time, were set out in a summary form in the annexures to the chapter on Land Reform and Agrarian Reorganisation of the Second Five Year Plan (pp. 213-226). The data related to States prior to reorganisation of States in 1956. The data were subsequently retabulated for the states as reorganised in 1956 and in this form they are set out in appendix III-A except for Bihar and Orissa. The Bihar Government felt that the data collected in the sample survey did not represent even approximately a correct picture of ownership and cultivation. The data received from Orissa were incomplete.

20. The variations in the pattern of distribution of area owned, area under personal cultivation and area leased in different States have been brought out in appendix III-B.

21. For Assam, Bihar, Jammu and Kashmir, Orissa and West Bengal for which data were not available from the census of land holdings and cultivation, estimates made by the National Sample Survey in the eighth round about ownership and operational holdings have been furnished in appendix III-C. As the census of land holdings and cultivation was not held in all the States, an overall picture for the country as a whole could not be presented on the basis of the data collected in the census. The all-India estimates from the Agricultural Labour Enquiry of 1950-51 and the National Sample Survey (eighth round) along with the concepts adopted in the surveys have been included in appendices IV and V respectively. In interpreting the data, it will be useful to bear in mind that the concepts adopted in the three surveys differ in several respects.



APPENDIX I

COPY OF THE LETTER NO. F. 5-27/53-PC-II DATED 8TH JANUARY, 1954 FROM SECRETARY, MINISTRY OF FOOD AND AGRICULTURE, GOVERNMENT OF INDIA TO ALL STATE GOVERNMENTS REGARDING CENSUS OF LAND HOLDINGS AND CULTIVATION.

In making its recommendations on land policy in the First Five Year Plan, the Planning Commission drew attention to the inadequate information available regarding the distribution and size of holdings. It was pointed out that the available data do not distinguish between cultivated and uncultivated land, and in respect of land under cultivation, between different classes of land. Nor, is it generally known how much area is held by tenants and how much under the personal cultivation of owners. This aspect is of great importance in view of measures taken in recent years to abolish intermediary rights and secure greater protection for tenants. With these considerations in view the Planning Commission recommended that all States should co-operate in undertaking a census of land holdings and cultivation. The object of this letter is to request States to take steps for the collection of the necessary information.

2. In letter No. PC (IV) 2952, dated March 17, 1952, from the Planning Commission, State Governments were requested to furnish such information as was then available concerning the distribution and size of holdings. It is understood that in several States during the past year more detailed information has been obtained. It will be appreciated if such further information as may have since become available, is now forwarded to the Ministry of Food and Agriculture. In each case it would facilitate study if copies of the main forms and instructions adopted for the purpose were also sent along with the data.

3. Certain preliminary questions relating to the proposed census of land holdings and cultivation have been under the consideration of the Central Government. It is proposed that—

- (1) the census should relate to agricultural lands comprised in owners' holdings;
- (2) it would be carried out by the revenue agency in each State as a special operation; and
- (3) the responsibility for carrying out the census will rest with State Governments.

These arrangements will hold for area in which village records exist.

4. Tentative suggestions for carrying out the proposed census are set out in Annexure to this letter. State Governments are requested to consider these suggestions and favour the Ministry of Food and Agriculture with their comments by the end of March, 1954. It is contemplated that these suggestions would be suitably

adapted to the conditions of each State. State Governments are requested to try out the suggestions made in this letter on a small scale in a few villages, so that their proposals for carrying out the complete census of land holdings and cultivation are based upon practical experience.

5. It is requested that State Governments may kindly prepare a preliminary schedule of operations for carrying out the census.

6. In a number of States there are large tracts which have not been cadastrally surveyed or for which village records are not available. These States are requested to indicate :—

- (1) (a) The total area of the State,
- (b) The area cadastrally surveyed and for which :—
 - (i) annual village records are maintained ;
 - (ii) annual village records are not maintained.
- (c) The area which is not cadastrally surveyed.

(2) In respect of areas for which annual village records are not maintained :—

- (a) the type of information concerning land holdings and cultivation which is at present available ;
- (b) whether the State Governments have already initiated steps to have the necessary village records prepared or have proposals under consideration ; and
- (c) if there are no adequate village records, what suggestions, if any, have you for ascertaining sufficiently reliable information regarding land holdings in the areas concerned?

7. This letter may kindly be acknowledged. The name of the principal officer in the State who will be responsible for taking action pertaining to the census of land holdings and cultivation, may kindly be intimated at a very early date.

8. It is further requested that all replies and other information on the subject of this letter may kindly be sent in duplicate to the Ministry of Food and Agriculture.

Annexure I

TENTATIVE SUGGESTIONS FOR CONDUCTING A CENSUS OF LAND HOLDINGS AND CULTIVATION

1. *Objects.*—The object of the census is to collect essential data relating to the holding and cultivation of agricultural land.

2. *Scope of the land census.*—The census will relate to agricultural land comprised in owners' holding of all sizes.

Explanations.—(1) For the purpose of the basic record of holdings, an owner's holding may be defined as the area of land owned by an individual owner in the villages included in the circle of a village accountant (Patwari, Talati, etc.).

NOTE.—Accuracy requires that all the land belonging to an owner, situated within the territories of the State, should be shown as his holding. Administratively however, this presents a difficult problem. It is for consideration whether an attempt should be made at the very first stage to bring together land held by an individual, say, within the same Tehsile/Taluka or within the same district. At the stage of implementation, it will no doubt be necessary to show in one place all the land owned by an individual, wherever it is situated. The question for immediate decision is whether in the first record of holdings to be prepared by the village accountant the aim should be to show in one place all the land held by an individual in a Tehsile/Taluka or in a district or whether, administratively, the more expedient course might be to take into account land held by an individual in different villages in the circle of a village accountant, leaving land outside the village accountant's circle to be taken into account at subsequent stages by higher revenue officials.

(2) 'Agricultural land' means the cultivable area comprised in a holding including groves and pastures. All unoccupied area, such as forest land and other uncultivable land, should be excluded. Land held in urban areas will also be excluded.

(3) (a) 'Area owned' includes land held as owner as well as land held under rights of occupancy.

(b) An occupancy right may be said to exist when the holder has a minimum right of permanent inheritable possession.

NOTE.—It is requested that particulars of those tenures which are considered by the State Government as falling within the meaning of the expression (occupancy right) may be given in a special note, along with a statement of the rights implied in each tenure.

(c) An area of land owned by A, but held in right of occupancy by B, will be shown as B's land, and not as A's land.

(d) An area of land held by two owners, a superior owner and an inferior owner, will be shown in favour of the inferior owner only.

(e) An area of land mortgaged with possession will be included in the holding of the mortgagee and excluded from the holdings of the mortgager.

(f) In the case of a joint holding the area proportionate to the share of each person should be shown separately.

(g) Area owned by each individual member of a family should be treated as a separate holding.

(4) 'Area under personal cultivation' includes land owned other than land leased for a period of one year or more to a tenant, sub-tenant under raiyat, etc.

3. The data should relate to the year 1952-53.

4. *Land Census Areas*.—In the population census of 1951 the country was divided into 5 regions, 15 sub-regions and 52 divisions. A division represents fairly homogenous set of natural conditions. The divisions are so arranged so as to fit in with State boundaries. It is proposed that for the land census, each division will be a Land Census Area. Where necessary, the State Government may divide a division into more than one Land Census Area.

For each Land Census Area, the State Government will please prepare a brief descriptive memorandum on land tenures and agricultural and economic conditions.

5. *Comparison between different classes of land*: To permit comparisons between different classes of land it will be necessary for each State Government to work out a suitable scale based on such criteria as productivity, land revenue, rental or other considerations. Data available in revenue settlement reports, special enquiries, crop-cutting surveys, etc., may be utilized for this purpose. Such scales may relate to the State as a whole or for Land Census Areas according as may be convenient.

It may be possible to assign the value of "sixteen annas" to an average acre of irrigated land or other land of good quality in a Land Census Area or the State as a whole and correspondingly lower or higher values in "annas" to other classes of land. Land carrying a valuation of sixteen annas may be described as a "standard acre" with reference to the Land Census Area. Values may be assigned to different classes of land in different districts or smaller sub-divisions. The holding of each individual can, thus, be reduced to "standard acres".

The precise method, of relating different classes of land has naturally to be worked out by each State according to what may be convenient, having regard to local conditions, available information, etc. The method proposed above is merely one possibility which was tried out in practice in the refugee resettlement operations in Punjab and Pepsu. A separate note on the subject will follow shortly.

6. *Intensive studies*.—A number of intensive studies will be needed in the States, for instance, with the object of determining:—

- (i) the average gross income and the average net income of—
 (a) a "standard acre",
 (b) an ordinary acre of each class of land, and
- (ii) the average "family holding".

A separate communication on this subject will follow.

7. *Specimen Form*.—(i) A tentative specimen form for an individual holding is given in Rubric—I.

(ii) The form should be prepared in duplicate by the village accountant, one copy being retained by him and the second being sent to the Tehsil/Taluka office for record.

8. *Classification.*—The following grades of holdings may be adopted in each Land Census Area (a) in ordinary acres, and (b) in "standard acres" in respect of :—

- (i) total area owned ;
- (ii) area under personal cultivation.

| Up to 1 exceeding | 1 but not exceeding | 2.5 |
|----------------------|---------------------|------|
| ” | 2.5 | 5 |
| ” | 5 | 7.5 |
| ” | 7.5 | 10 |
| ” | 10 | 12.5 |
| ” | 12.5 | 15 |
| ” | 15 | 17.5 |
| ” | 17.5 | 20 |
| ” | 20 | 25 |
| ” | 25 | 30 |
| ” | 30 | 35 |
| ” | 35 | 40 |
| ” | 40 | 45 |
| ” | 45 | 50 |
| ” | 50 | 60 |
| ” | 60 | 75 |
| ” | 75 | 100 |
| ” | 100 | 150 |
| ” | 150 | 200 |
| ” | 200 | 300 |
| ” | 300 | 500 |
| ” | 500 | 1000 |
| More than | 1000 | |

9. *Tabulation.*—The final tables for each Village/Taluka or Tehsil/District/Land Census Area will be in the forms given in Rubric 3. These tables will be prepared from the village abstract in Rubric 2.

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Rubric-1

SPECIMEN FORM FOR INDIVIDUAL HOLDINGS

(1) *General.*

Serial No.

Reporting village.....Taluka/Tehsil.....District.....

Name of owner and father's name.....

Residence:—Village.....Taluka/Tehsil.....District.....

Particulars of other villages in which land is held:—

| Village | Taluka/Tehsil | District | REMARKS |
|---------|---------------|----------|---------|
| | | | |

(2) *Particulars of land owned.*

| Village & Taluka/ Tehsil | Holding No. | Khasra No. | Class of land | Land revenue assess- ment | Under personal cultiva- tion | Given on lease | | Total |
|--------------------------------|----------------|---------------|------------------|------------------------------------|---------------------------------------|--------------------|--------------------|-------|
| | | | | | | On cash rent | On kind rent | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| <i>राजस्थान</i> | | | | | | | | |

Total for the reporting village:—

(i) area in acres (by class of land). _____

(ii) area in standard acres. _____

Total for all villages in the Village

Accountant's Circle :—

(i) area in acres (by class of land). _____

(ii) area in standard acres. _____

Rubric-2

VILLAGE ABSTRACT*

Name of reporting village..... Taluka/Tehsil.....
 District.....

| Sl. No. | Name of owner and father's name | Area owned | | Area under personal cultivation | | Area given on lease in acres | | REMARKS |
|------------|------------------------------------------|---------------------|--------------------------------------|---------------------------------------|---------------------------------|---------------------------------|--------------------|---------|
| | | Area in acres | Area in stan- dard acres | Area in acres | Area in standard acres | On cash rent | On kind rent | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |



NOTE.—(1) This abstract will be prepared for each reporting village care, being taken to ensure that an owner holding land in more than one village of the Village Accountant's Circle and the land held by him in the circle are counted only once.

(2) The officers deputed to supervise tabulation work should also ensure that the entire agricultural land in the village of the Village Accountant's circle has been duly accounted for.

Rubric-3

FORMS FOR TABULATION

(i) Holdings classified according to area owned (in ordinary acres)*.

| Grade of holding | Area owned | | Area given on lease |
|------------------|-----------------|------|---------------------|
| | No. of holdings | Area | |
| 1 | 2 | 3 | 4 |

(ii) Holdings classified according to area owned (in standard acres)*.

| Grade of holding | Area owned | | Area given on lease (in standard acres) |
|------------------|-----------------|--------------------------|-----------------------------------------|
| | No. of holdings | Area (in standard acres) | |
| 1 | 2 | 3 | 4 |

सत्यमेव जयते

(iii) Holdings classified according to area under personal cultivation (in ordinary acres).

| Grade of holding | Owned area under personal cultivation | |
|------------------|---------------------------------------|------|
| | No. of holdings | Area |
| 1 | 2 | 3 |

*In these tables, the holdings should be graded according to the area owned. The total area given on lease out of all holdings belonging to a particular grade should be shown against it in column 4.

(iv) Holdings classified according to area under personal cultivation (in standard acres).

| Grade of holding | Owned area under personal cultivation | |
|------------------|---------------------------------------|------------------------|
| | No. of holdings | Area in standard acres |
| I | 2 | 3 |
| | | |

(v) Area abstract. (Area in acres).

- (1) Agricultural land comprised in owners' holdings :
- (2) Agricultural land not included in owners' holdings :
- (3) Area leased :

Or cash rents :

Or kind rents :

TOTAL .



APPENDIX II

SCHEME OF STANDARD ACRE

Following the suggestion made in the Government of India letter of January 8, 1954, the concept of standard acre has been adopted in all States and areas where census was held except in the former States of Mysore and Hyderabad. In Mysore the Government felt that such a formula might confuse the public mind and therefore, preferred to express the census data in terms of ordinary acres only. In the former State of Hyderabad, however, the data have been expressed in terms of 'family holding' which was worked out by the State Land Commission for each local area separately.

2. In working out the scheme of standard acre, the first problem to be tackled was what should be the standard unit and what criterion should be adopted in giving comparable values to different classes of land in terms of the standard unit. It was suggested by the Ministry of Food and Agriculture that an average acre of irrigated land or other land of good quality in the State as a whole or in a region thereof might constitute a 'standard acre' and other classes of land given correspondingly lower or higher values. The scheme of standard acre depended entirely upon the kind of data which were readily available in a State having regard both to quality and coverage. The principal criteria adopted in the States are the yields of principal crops, the rent rates or the assessment rates worked out at the last settlement and the market values of land. Generally, the soil classification at the time of settlement had served as a working basis with such modifications as become necessary in view of the changes which might have occurred since the last settlement. In Punjab one acre of land yielding between 10 to 11 maunds of wheat, which is the yield of an average irrigated acre of land, represents a standard acre and has been assigned a value of sixteen annas. The lands of other classes have been assigned corresponding values on the basis of their settlement yields. This formulation had been adopted by the Punjab Government in connection with the displaced persons from West Punjab. In U. P. also the criterion of yield has been adopted. An acre of land yielding 9 maunds of wheat or its equivalent in terms of other crops, represents a standard acre. Land of other classes have been given values accordingly on the basis of their yields determined through local enquiries. In Madhya Pradesh however, where the scheme is based on rent rate, called 'deduced rent' worked out at the last settlement, the standard acre represents an acre bearing deduced rent equivalent to the average rate applicable to the best class of soil in each district or taluk. In Madras, Rajasthan and Bhopal, the standard acre formula has been related to assessment rates worked out at the last settlement. For instance, in Madras a wet standard acre represents an acre of land bearing an assessment exceeding Rs. 7/8/0 but not exceeding Rs. 10 per acre. Other classes of lands are given comparable values on the basis of assessment rates applicable to them. In Bombay area, an acre of seasonally irrigated land or an acre of land growing superior varieties of rice has been adopted as a standard acre and other classes of

lands have been given *ad hoc* values having regard to the productivity, crops grown and expenses of cultivation. Kerala (Travancore-Cochin area) is the only State where the price of land was adopted as the criterion. An acre of land priced at Rs. 5,000 has been adopted as a standard acre and other classes of lands were given values on the basis of their average price as determined from the sale deeds executed in the sub-registry office.

3. In adopting assessment rates another difficulty arose due to the fact that settlements had been made in different parts of a State at different times and, therefore, different prices of agricultural commodities had gone into the fixation of assessment rates. In order to evolve a single standard acre formula based on settlement rates for the State as a whole, therefore, allowance had to be made for variations in the prices. For instance, in Madras standard rates of assessment were worked out for the State as a whole for purposes of the scheme of standard acre after allowing for the variations in prices. Other States however, felt it difficult to allow for these variations and they based their standard acre formula on the actual rates of assessment. In Madhya Pradesh, due to the above difficulty, the State Govt. felt that it would not be possible to work out a single standard acre formula for the State as a whole. A separate standard acre was adopted for each district or taluk whatever constituted the unit of settlement.

4. Having determined the criteria on which the scheme of standard acre is to be based, that is to say whether it would be related to yield of principal crops, the rate of assessment, the rent rate or the market value, as the case may be, the problem to be tackled is to work out a formula for giving relative values to lands bearing different yields or assessment rates etc. For instance, if an acre of land yielding 10 maunds of wheat represents a standard acre, what would be the valuation of land yielding 8, 9, 11 or 12 maunds of wheat. Generally, the formulation adopted is based on *ad hoc* estimations. To illustrate, the values given in Punjab are as follows :—

| Average yield of wheat maunds per acre | Annas |
|-------------------------------------------|-----------|
| 14 and above | 18 |
| 13 and above but less than 14 | 17½ |
| 12 and above but less than 13 | 17 |
| 11 and above but less than 12 | 16½ |
| 10 and above but less than 11 | 16 |
| 9 and above but less than 10 | 14 |
| 8 and above but less than 9 | 12 |
| 7 and above but less than 8 | 10 |
| 6 and above but less than 7 | 9 |
| 5 and above but less than 6 | 8 |
| 4 and above but less than 5 | 7 |
| 3 and above but less than 4 | 6 |
| 2½ and above but less than 3 | 5 |
| 2 and above but less than 2½ | 4 |
| 1½ and above but less than 2 | 3 |
| 1 and above but less than 1½ | 2 |
| ½ and above but less than 1 | 1 |
| Less than ½ | ½ or less |

An acre of land which yields 10 maunds of wheat or more but not exceeding 11 maunds or other equivalent produce has been given a value of 16 annas. The scale moves up by half an anna for every increase of one maund. The maximum increase permitted being 2 annas. Value falls by two annas in the scales between 10 annas and 16 annas. In the scales between 10 and 6 annas, the decrease is one anna per maund and below six annas there is a decrease of one anna per maund for every half a maund. The valuation though empirical are not altogether arbitrary. A number of considerations based on experience go into fixation of these empirical values.

5. In Andhra, Madras and a number of other States, the formulation for fixation of comparative values were also based on such 'ad hoc' valuations. In some States, as in Madhya Pradesh, Uttar Pradesh, Madhya Bharat, etc. however, the formulation was based on a simple rule of three. For instance, in Madhya Pradesh, if a land bearing a deduced rent of Rs. 4 represents the standard acre, the value of an acre of land bearing a deduced rent of Rs. 3 would be 3/4th of the standard. In this procedure there is no element of subjectivity. However, such procedure does not permit allowances for other considerations. For example, in the case of poor lands, the possession of land is of much greater importance than its productivity. Their market prices are unrelated to productivity or rental value or assessment rates. Besides, poor lands can be developed and yields improved. For these and such other considerations, it may be desirable to assign for lands of lower yields somewhat higher value than could be justified purely on grounds of productivity, etc.

6. In the table below, the equivalent of a standard acre in terms of ordinary acre, on an average, has been worked out by dividing the area covered in ordinary acre by the equivalent of this area in terms of standard acre. The equivalent of a standard acre in ordinary acres in different States and areas is as follows :—

समाप्त जप्तन
Equivalent of a standard acre in terms of ordinary acre

| state/area | ordinary acre equivalent (in acres) |
|----------------------------|----------------------------------------------|
| 1. Andhra Pradesh : | |
| (i) Andhra area | 2.32 |
| (ii) Telengana area | N.A. |
| 2. Gujarat: | |
| (i) Bombay area | N.A. |
| (ii) Saurashtra | 1.58 |
| (iii) Kutch | 1.23 |
| 3. Kerala : | |
| (i) Travancore-Cochin area | 1.92 |
| (ii) Madras area | 1.61* |

| state/area | ordinary acre equivalent (in acres) |
|-------------------------------------|----------------------------------------------|
| 4. Madhya Pradesh : | |
| (i) Mahakoshal | 2.12 |
| (ii) Madhya Bharat area | 0.05 |
| (iii) Bhopal area | 1.33 |
| (iv) Vindhya Pradesh area | 2.38 |
| 5. Madras State : | |
| Madras area | 1.20* |
| 6. Maharashtra: | |
| (i) Former Bombay area | N.A. |
| (ii) Vidarbha | 1.81 |
| (iii) Marathwada | N.A. |
| 7. Mysore : | |
| (i) Mysore area | N.A. |
| (ii) Coorg area | N.A. |
| (iii) Bombay area | N.A. |
| (iv) Madras area | 1.56* |
| (v) Karnataka area | N.A. |
| 8. Orissa | N.A. |
| 9. Punjab | N.A. |
| 10. Rajasthan: | |
| (i) Rajasthan area | 1.0** |
| (ii) Ajmer area | 2.22 |
| 11. Uttar Pradesh | 0.98*** |
| 12. Delhi | N.A. |
| 13. Himachal Pradesh | 2.70 |

N.A.—not available.

*in dry acres.

**based on 22 selected tehsils.

***based on 204 sample villages.

7. It may be recalled that census was held prior to re-organisation of States in 1956. In several cases, a State as re-constituted, consists of a number of former States or parts thereof. As the standard acre formulae adopted in the States varied considerably, it was not possible to present the data in standard acres for a re-organised State as a whole which consisted of more than one area.

The standard acre formula adopted in the different states is described in the following paragraphs.

1. Andhra Pradesh :

(i) Andhra Area :

In Andhra area there is one uniform standard acre for this area as a whole. It has been worked out on the basis of assessment rates applicable to various classes of land. There is one scheme for wet lands and another for dry lands. An acre of wet land bearing an

assessment exceeding Rs. 7-8-0 but not exceeding Rs. 10 represents a standard acre. Other wet lands have been given *ad hoc* values from 8 to 18 annas on the basis of assessment rates applicable to them as below. The value for dry lands varies between 2 to 8 annas.

Wet lands :

| | annas |
|----------------------------------------------------------------------------------|-------|
| (a) assessment exceeding Rs. 10 per acre (Mainly in delta areas) | 18 |
| (b) assessment exceeding Rs. 7/8/- but not exceeding Rs. 10/- per acre | 16 |
| (c) assessment exceeding Rs. 6/- but not exceeding Rs. 7/8/- per acre | 14 |
| (d) assessment exceeding Rs. 4/- but not exceeding Rs. 6/- per acre | 12 |
| (e) assessment exceeding Rs. 2/8/- but not exceeding Rs. 4/- per acre | 10 |
| (f) assessment of Rs. 2/8/- and below | 8 |

Dry lands :

| | |
|----------------------------------------------------------------------------------------|---|
| (g) assessment exceeding Rs. 3/- per acre | 8 |
| (h) assessment exceeding Rs. 1/8/- but not exceeding Rs. 3/- per acre | 6 |
| (i) assessment exceeding Rs. -/12/- but not exceeding Rs. 1/8/- per acre | 4 |
| (j) (1) assessment exceeding Rs. -/6/- but not exceeding Rs. -/12/- per acre | 3 |
| (2) assessment upto Rs. -/6/- per acre | 2 |

The rates of assessment to be taken into consideration for working out standard acre are, in the ryotwrai areas the assessment payable by the pattadar; in the case of minor inams and service inams, the appropriate rates of assessment on such lands in the locality; and in the case of estates and whole inam villages which have not yet been taken over, the rent payable by the ryot to the estate-holder or the inamdar.

There are some exceptions to the above scheme of valuation.

(1) In case of wet lands in the delta regions or under major irrigation systems, lands bearing an assessment exceeding Rs. 10 are given a value of 20 annas instead of 18 annas.

(2) Lanka lands which usually grow two or three luxuriant dry crops in a year and are of high fertility are given a value of 16 annas.

(3) Lands under class V irrigation source are not given a value exceeding 10 annas due to precarious water supply.

(4) Lands registered as dry, but ordinarily cultivated with wet crops, are given value as wet lands with similar soil particulars.

Note.—Dry lands growing wet crops by rainwater but without recognised sources are evaluated at $1\frac{1}{2}$ times the dry land.

(5) Dry lands with wells (which were classified as garden lands in estates) are evaluated at one and a half times dry land without wells paying the same taram rate. (They are limited to the extent of dry land benefited by well irrigation).

(6) Dry lands growing commercial crops systematically are evaluated at twice dry land growing food crops and paying the same taram rate.

(7) Dry lands growing commercial crops in rotation with food crops are evaluated at one and a half times dry land growing food crops and paying the same taram rate.

(ii) *Telengana Area :*

In the former State of Hyderabad the concept of standard acre was not adopted. Instead, the data have been expressed in terms of 'family holding'.

A 'family holding' has been defined as an area which a family of five persons including the agriculturist himself cultivates personally according to local conditions and practices and with such assistance as is customary in agricultural operations and which area, will yield annually a produce the value of which, after deducting 50 per cent there from as cost of cultivation, is Rs. 800 according to the price levels prevailing at the time of determination.

For purposes of determining the size of family holding, lands in the former State of Hyderabad were divided into 'local areas' by Hyderabad Land Commission. All the taluks of Hyderabad have been grouped up into local areas with reference to their types of soil, rainfall, crop patterns and other relevant considerations. In a few cases, a taluk has been split up into not more than two parts, each part being included in different local area as the agricultural conditions in the parts of such taluks were materially different. Splitting up of a revenue circle has been avoided.

The 'local areas' were grouped into eight grades of family holdings as below :

| Local area | Size of family holding |
|-------------|------------------------|
| 1 | 21 acres (dry) |
| 2 | 24 acres (dry) |
| 3 | 30 acres (dry) |
| 4 | 36 acres (dry) |
| 5 | 42 acres (dry) |
| 6 | 48 acres (dry) |
| 7 | 54 acres (dry) |
| 8 | 60 acres (dry) |

Within a 'local area' the family holding has been expressed in terms of 'dry acres' and no distinction has been made between the different classes of dry acres. However, one acre of wet land has been treated as equal to about 6 acres of dry land. Lands which are irrigated under flow water or joint sources are taken as wet lands. Lands irrigated by wells are not treated as wet lands.

2. *Gujarat :*

(i) *Bombay area :*

The standard acre scheme is based on a rough classification of lands into various categories having regard to their productivity, crops grown and expenses of cultivation. Taking these factors into

consideration, the various classes of land have been given *ad hoc* values as mentioned below. The various classes of lands have been judged by the existing conditions of the land, as seen from the crop registers and in case of doubt, by spot verification.

| <i>A. Irrigated lands :</i> | standard acres | annas |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------|
| 1. All lands irrigated under perennial irrigation either from canal or tank : | 2½ | 36 |
| (a) Better type of soil | 2 | 32 |
| (b) Medium type of soil | 2 | 32 |
| 2. All lands including rice (old or new) under irrigation by flow or partly by flow and partly by lift upto Rabi season only | 1½ | 24 |
| 3. All lands including rice (old or new) irrigated in kharif season only | 1 | 16 |
| 4. Well-irrigated lands throughout the year and Bhatha and Dhekdiat lands : | 1½ | 24 |
| (a) Better type of soil | 1½ | 20 |
| (b) Medium type of soil | 1½ | 20 |
| 5. Lands under well-irrigation upto February or March. | 1 | 16 |
| <i>B. Unirrigated lands :</i> | | |
| 6. Growing superior varieties of rice | 1 | 16 |
| 7. Growing inferior variety of rice | ¾ | 12 |
| 8. Dry crop lands, usually growing : | | |
| (a) Cotton, wheat, tobacco and soil seeds | ¾ | 12 |
| (b) Jowar, bajra, maize and pulses as main crops | ¾ | 10 |
| (c) Other inferior crops | ½ | 4 |
| (d) Dry-crop even lands growing inferior crops | ½ | 2 |
| <i>Surat District only</i> | | |
| 9. All Utam Bagayat lands | 1½ | 26 |
| 10. Utam Prakar Rice | 1½ | 20 |
| 11. Utam Prakar dry crop | 1 | 16 |
| If they are under perennial irrigation by flow, each ordinary acre of these lands should be taken as equal to 2 standard acres | | |

(ii) *Saurashtra area :*

For purposes of working out a scheme of valuations, the State has been divided into a number of tracts. Within a tract all dry crop lands are given uniform value. An acre of land irrigated by canal, well or lift or rivers or streams, is considered as being equivalent to two acres of dry crop land. No allowance has been made

for soil variations within a tract as soil classification in more than half the State has not yet been done. An acre of dry crop land in the tract situated within 5 miles of the sea-shore from Madhavpur to Kodinar, Kutiyana proper, Mandava, Kaji-Thepda, Ujad-Thepda, Baloch and Bhadar Chhel Bhag—which represents the best soil in the State is taken as a standard acre. Lands in the other tracts are given comparable values in terms of standard acre on *ad hoc* estimations of productivity of the predominant soil in each tract. The values adopted in various tracts are as under:—

| Tract | Value in standard acres of one ordi- nary acre of dry crop land | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|----------|
| | acre | gunthas* |
| 1. Zalawad District | 0 | 20 |
| 2. Halar District— | | |
| (a) Jamjodhpur Tk. and Amran chovisi of Jodia Mahal . | 0 | 25 |
| (b) Kalavad Taluka | 0 | 20 |
| (c) Rest of Halar District | 0 | 20 |
| 3. Gohilwad District | 0 | 25 |
| 4. Madhya Saurashtra District— | | |
| (a) Morvi Tk., Wankaner Maliya Mahal, Panchhal area (Babra Tk.) Rajkot Tk., Padadhari Mahal, Lodhika Mahal, Kunkavav Tk. and Kotda Sangani Mahal . . . | 0 | 20 |
| (b) Babra Tk. | 0 | 25 |
| (c) Dhoraji Tk. including Upleta Mahal | 0 | 30 |
| 5. Sorath District— | | |
| (a) Ranavav & Porbandar (Ex-Ghed Area) | 0 | 20 |
| (b) Ghed area | 0 | 35 |
| (c) Five miles strip etc. in Sorath | 1 | 00 |
| (d) Rest of the Sorath District | 0 | 25 |

(one acre irrigated by canal, well, etc. is equal to 2 acres of dry crop land)

*40 Gunthas make one acre.

(iii) Kutch area :

In Kutch the principal crops are Bajri in case of unirrigated lands and wheat on irrigated lands. The standard acre scheme is based on the yield of Bajra or wheat per acre. A standard acre has been considered to be equal to one acre of land yielding ten maunds of Bajri or wheat. This is the per acre yield of B Class irrigated land. An acre of B class irrigated land is equivalent to a standard acre. Lands of other classes have been assigned *ad hoc* values keeping in view their per acre yields. The formula adopted is as follows:—

1. 0-24 gunthas of 'A' class irrigated land . . Equal to one standard acre
2. 1-00 acre of 'B' class irrigated land do.
3. 2-00 acres of 'C' do. . . . do.
4. 4-00 acres of 'A' class unirrigated land do.
5. 6-00 acres of 'B' do. . . . do.
6. 10-00 acres of 'C' do. . . . do.

3. Kerala :

(i) Travancore-Cochin Area :

The scheme of valuation is based on prices of land. A standard acre represents the extent of land available for Rs. 5,000. For purposes of the scheme of standard acre, land is divided into 7 classes, namely :—

- (a) single-crop irrigated land W₁
- (b) single-crop unirrigated land W₂
- (c) double-crop irrigated land W₃
- (d) double-crop unirrigated land W₄
- (e) coconut cultivation W₅
- (f) tapioca cultivation W₆
- (g) other garden crops W₇

In each village the price per acre of each of the 7 classes of land was determined from the documents executed in the sub-registry office. The average weighted price per acre (standard rate) for a village is determined as follows :—

$$P = \frac{(P_1 W_2 + \dots + P_7 W_7)}{(W_1 + W_2 + \dots + W_7)}$$

'P' represents the standard rate, P₁, P₂, P₃, etc. as the average market price of the various classes of land, and W₁, W₂, W₃, etc. as the area of each class of land in the village.

The value of a holding in terms of standard acres is then determined as follows :—

$$A = Pa/5000.$$

'A' represents the area in standard acres and 'a' as the area of the holding in terms of ordinary acres.

The above formulation does not take into account the position of each holding with regard to land classification.

(ii) Madras Area :

Please see the scheme adopted in Madras.

4. Madhya Pradesh :

(i) Mahakoshal area :

In Madhya Pradesh each district in the C. P. area and each taluka in the Berar area constitute a separate land census area. The rent rates known as 'deduced rent' worked out at the settlement form the criteria for working out the standard acre formula. An acre of land bearing the average deduced rent applicable to the best quality of land in the census area represents a standard acre. The values of other classes of land have been worked out by a simple rule of three on the basis of deduced rent rates applicable to them. Thus, the standard acre in one census area is not comparable with the standard acre of another census area.

(ii) *Madhya Bharat area :*

The standard acre scheme is based on deduced rent worked out at the time of settlement for various classes of soil which takes into account the productivity of each type of soil. Standard acre represents an acre of average Kali-I soil which is the most predominant soil in the State bearing deduced rent of Rs. 2-12-0 (44 annas). The other classes of land have been given values in simple proportion to the deduced rent applicable to them.

Illustration.—If the deduced rent of a 5-acre holding with a particular class of soil is, say, Rs. 10-12-0 (172 annas), the value of the holding in terms of standard acres would be equal to $172/44$, that is 3.9 standard acres.

(iii) *Bhopal area :*

The standard acre in Bhopal is related to assessment rates as determined at the last settlement. An acre of Kali-I soil bearing an assessment rate of Rs. 3-4-0 which is considered to be the land of good quality has been given a value of 16 annas. The value of other classes of land in terms of standard acre has been worked out in proportion to the assessment rate applicable to them.

Illustration.—A 22-acre holding with land assessment of 711 annas will be equal to 13.67 standard acres as per details mentioned below :—

| Khasra No. | Soil class | Area in acres | Assessment rate | Total assessment (col. 3 \times 4) | |
|------------|------------|---------------|-----------------|--------------------------------------|-------|
| | | | | 1 | 2 |
| | | | सत्यमेव जयते | annas | annas |
| 95 . . . | Kali-I | 10 | 40 | | 400 |
| 96 . . . | Kali-II | 5 | 30 | | 150 |
| 97 . . . | Kali-III | 7 | 23 | | 161 |
| Total . . | | 22 | | | 711 |

In order to convert ordinary acres into standard acres, the total of land assessment i.e., 711 annas in this case is divided by Rs. 3-4-0 (52 annas). The dividend i.e. 13.67 is the area of the holding in terms of standard acres.

(iv) *Vindhya Pradesh :*

In Vindhya Pradesh the scheme of valuation is based on assessment rates. Kachianna AA which was assigned the highest assessment rate during settlement has been regarded as standard acre and assigned the value of 16 annas. Other soils were assigned relative values in terms of annas in proportion to the assessment rates applicable to them.

5. Madras :

(i) Madras area :

As in Andhra, the scheme of valuation is based on rates of assessment applicable to various classes of land. There are, however, some variations. In Andhra, in spite of the fact that settlements had been made in different districts at different times, the actual rates of assessment worked out at the time of assessment formed the basis of standard acre scheme. In Madras, however, in order to allow for the varying prices which had gone into the working of assessment rates in the various districts at different times, the assessment rates were first standardised on the basis of the following formula :—

(a) In the case of districts or tracts resettled after 1914 wherein the price-levels of the middle period (1905-06 to 1913-14) and of a number of years of the later period, i.e., post-1914-15, and possibly very few years of the pre-1905-06 period, entered into the calculation, the whole of the resettlement enhancements should be cancelled:

(b) in the case of districts or tracts resettled in the middle period wherein the price-levels of the earlier period i.e. pre-1905-06 and of the middle period of 1905-06 to 1913-14 only entered into the calculations. The resettlement enhancements should be reduced by 50 per cent;

(c) settlements or resettlements of the earlier period, i.e., prior to 1905-06, wherein the prices prevailing in the earlier period upto and inclusive of the year 1904-05 entered in the calculations, need not be disturbed.

The standardised assessment rates form the basis for the scheme of valuation.

There is one standard acre scheme for wet lands and another for dry lands. Wet land bearing an assessment of Rs. 7-8-0 but not exceeding Rs. 10 is regarded as standard wet acre of 16 annas value. Other wet lands have been given values varying between 8 to 18 annas as below :

| | Annas |
|-----------------------------------------------------------------------------------------------------|-------|
| (a) Lands with rates of assessment exceeding Rs. 10 an acre (mainly in the deltas). | 18 |
| (b) Lands with rates of assessment exceeding Rs. 7/8/- an acre but not exceeding Rs. 10/- per acre. | 16 |
| (c) Lands with rates of Rs. 7/8/- and below but more than Rs. 6/- per acre. | 14 |
| (d) Lands with rates of Rs. 6/- and below but more than Rs. 4/- per acre. | 12 |
| (e) Lands of rates of Rs. 4/- and below but more than Rs. 2/8/- | 10 |
| (f) Lands of rates of Rs. 2/8/- and below | 8 |
| (g) Lands on which two crops are ordinarily grown in delta areas | 20 |

Note.—One standard acre of wet land was treated as equivalent to three standard acres of dry lands (without wells) growing food crops. The entire holding valued by adopting the above formula was expressed finally in terms of dry standard acres.

6. Maharashtra :

The standard acre scheme is based on a rough classification of lands into various categories having regard to their productivity, crops grown and expenses of cultivation. Taking these factors into consideration the various classes of land have been given *ad hoc* values as mentioned below. The various classes of lands have been judged by the existing conditions of the land, as seen from the crop registers and in case of doubt by spot verification.

Deccan & Southern Maratha Country

| <i>A. Irrigated lands :</i> | | standard acres | annas |
|------------------------------------------------------------------------------------|----------|-------------------|-------|
| 1. By canal | | | |
| (i) <i>Perennial</i> | | | |
| (a) Better type of soil | 2½ | 36 | |
| (b) Medium type of soil | 2 | 32 | |
| (ii) Bi-seasonal | 1½ | 24 | |
| (iii) One season after Kharif | 1¼ | 20 | |
| (iv) During Kharif only | 1 | 16 | |
| 2. (i) Patasthal lands under perennial irrigation | 2 | 32 | |
| (ii) Patasthal lands with water available up to end of March or April | 1¼ | 20 | |
| (iii) Do, upto February | 1½ | 20 | |
| (iv) All other Patasthal lands | 1 | 16 | |
| 3. Lands watered from wells | | | |
| (a) Better type of soil | 1½ | 24 | |
| (b) Medium type of soil | 1¼ | 20 | |
| 4. Rice lands | | | |
| (i) Growing sugarcane by tank irrigation in S.M.C. | 2 | 32 | |
| (ii) Growing better varieties of rice with second crop of vegetables etc | 1½ | 24 | |
| B. Unirrigated lands : | | | |
| 5. Rice Lands | | | |
| (i) Growing better varieties of rice | 1 | 16 | |
| (ii) All other rice lands | ¾ | 12 | |
| 6. Dry crop lands usually growing | | | |
| (a) Cotton, wheat, tobacco and oil seeds | ¾ | 12 | |
| (b) Jowar, bajri, maize and pulses as main crops | ½ | 10 | |
| (c) Other inferior crops | ½ | 4 | |
| (d) Dry crop even lands growing inferior crops | ½ | 2 | |

Konkan

| | | standard acres | annas |
|-----|-----------------------------------------------------------------------|-------------------|-------|
| 1. | All Agri Bagayat lands | $2\frac{1}{4}$ | 36 |
| 2. | All Dongri Bagayat lands | $1\frac{1}{2}$ | 24 |
| 3. | Sweet rice land growing superior varieties of rice | 1 | 16 |
| 4. | Do. inferior varieties of rice | $\frac{3}{4}$ | 12 |
| 5. | All salt-rice lands | $\frac{3}{4}$ | 12 |
| 6. | Rabi lands which occasionally grow sugarcane and vegetables | $\frac{5}{8}$ | 10 |
| 7. | All other rabi lands | $\frac{3}{8}$ | 6 |
| 8. | Bhatle | $\frac{1}{16}$ | 1 |
| 9. | Varkas | $\frac{1}{32}$ | 0—6 |
| 10. | Pulan lands intermixed with Agri. Bagayat or rice lands | $\frac{1}{4}$ | 4 |
| 11. | Other Pulan Lands | $\frac{1}{8}$ | 2 |

Kanara—Below Ghat Talukas

| | | | |
|-----|------------------------------------------------------------------|----------------|----|
| 1. | Spices, coconut, and supari gardens | $2\frac{1}{4}$ | 36 |
| 2. | Plantain gardens | $1\frac{1}{2}$ | 24 |
| 3. | Vegetables and misc. fruit gardens | $1\frac{1}{4}$ | 20 |
| 4. | Rice lands growing 2 rice crops or good sugarcane crop | $1\frac{1}{2}$ | 24 |
| 5. | Sweet rice land, growing superior varieties of rice | 1 | 16 |
| 6. | Do. inferior varieties of rice | $\frac{3}{4}$ | 12 |
| 7. | All salt rice lands | $\frac{3}{4}$ | 12 |
| 8. | Khushki lands | $\frac{1}{2}$ | 8 |
| 9. | Pulan lands, intermixed with Bagayat or rice lands | $\frac{1}{4}$ | 4 |
| 10. | Other Pulan Lands | $\frac{1}{8}$ | 2 |

Notes: (1) The various classes of land mentioned above have been judged by the existing conditions of the land as seen from the crop registers and in case of doubt by spot verification.

(2) The above standard in terms of acres or annas is with reference to one ordinary acre. The actual areas of the serial numbers or sub-divisions may be in odd gunthas. The conversion of the actual acres and gunthas of each Serial number or sub-division should be done to the nearest three pies. For instance 2 gunthas of land falling in class 6 above, will be equal to 7 pies which should be rounded off to 6 pies. Similarly, the total standard acres of an owner should be rounded off to the nearest four annas.

(ii) *Vidharbha Area :*

Please see the scheme adopted in Madhya Pradesh. (Mahakoshal area)

7. *Mysore :*(i) *Mysore area :*

No scheme was adopted.

(ii) *Coorg Area :*

An acre of wet land or "Alluvial Taram" which is the best class of soil in Coorg has been regarded as standard acre and given 16 anna value. Crop lands of other classes have been given a relative value in terms of annas on the basis of yields of the principal crop grown on them. The valuation worked out on the basis of this formulation are as follows :—

| | | annas |
|-------------------------------|-------------|-------------|
| One acre of wet land of taram | . | 1 = 13 |
| Do. | . | 2 = 12 |
| Do. | . | 3 = 11 |
| Do. | . | 4 = 10 |
| Do. | . | 5 = 10 |
| Do. | . | 6 = 9 |
| Do. | . | 7 = 7 |
| Do. | 7A, 7B & 7C | = 5 |
| Do. | 8 | = 3 |
| Holas taram | . | .1 & 2 = 7 |
| Do. | . | 3,4 & 5 = 3 |

There are large areas under coffee, tea, cardamom and other plantations. The relative values for these plantations have been worked out on the basis of *ad hoc* estimates of net income from such plantations as compared with the net income of the standard acre of crop area. The relative values given for these plantations are as follows :—

| | in standard acres |
|-----------------------------------------------------------------------|-------------------------|
| One acre of coffee land | 1.5 |
| One acre of cardamom land or orange or tea or rubber | 1.0 |
| One acre of areca, coconut and pepper | 2.0 |
| One acre of cashewnut, bannana and vegetables | 0.5 |
| (Bane and pasture lands are to be omitted unless they are cultivated) | |

(iii) *Bombay Area :*

The scheme is same as in Bombay.

(iv) *Madras area :*

The scheme is same as in Madras.

(v) *Karnataka area :*

The scheme is same as in Telengana. (Andhra Pradesh).

8. Orissa :

In Orissa, a standard acre means an acre of first class wet land in a district. Other classes of lands have been given *ad hoc* values considering the average yield of the principal crop as worked out at the settlement. For example, the scheme of valuations adopted in district Ganjam is as follows :—

Multiples of standard acre for the ryotwari acres of Ganjam district

| name of taluq | class of land | multiple of standard acre |
|---------------------------------------------|---------------|---------------------------|
| 1 | 2 | 3 |
| <i>Wet I</i> | | |
| 1. Aska and Berhampur | | 1·00 |
| 2. Kodala, Ghumsur & Chhatrapur | | 0·75 |
| 3. Parlakimedi | | 0·90 |
| 4. Digapahandi | | 0·45 |
| <i>Wet II</i> | | |
| 1. Aska and Chhatrapur | | 0·50 |
| 2. Kodala and Ghumsur | | 0·60 |
| 3. Berhampur | | 0·80 |
| 4. Digapahandi | | 0·35 |
| <i>Wet III</i> | | |
| 1. Kodala, Ghumsur & Aska | सत्यमेव जयते | 0·50 |
| 2. Berhampur | | 0·65 |
| 3. Chhatrapur | | 0·45 |
| 4. Digapahandi | | 0·30 |
| <i>Wet IV</i> | | |
| 1. Aska & Berhampur | | 0·50 |
| 2. Kodala & Ghumsur | | 0·40 |
| 3. Chhatrapur | | 0·35 |
| 4. Digapahandi | | 0·20 |
| <i>Rainfed</i> | | |
| 1. Berhampur and Parlakimedi | | 0·65 |
| 2. Kodala, Ghumsur and Chhatrapur | | 0·35 |

| name of taluk | class of land | multiple of standard acre |
|-----------------------------------------------|---------------|---------------------------|
| 3. Aska | | 0·25 |
| 4. Digapahandi | | 0·15 |
| <i>Dry</i> | | |
| 1. Kodala Ghumsur, Parlakimedi & Chhatrapur . | | 0·30 |
| 2. Berhampur | | 0·50 |
| 3. Aska | | 0·20 |

9. Punjab :

The standard acre scheme in the Punjab (including Pepsu) is based on the yields of the principal crops as determined at the time of settlement in respect of various classes of land. A standard acre means an acre of land whose average settlement yield is 10 maunds of wheat or more but not exceeding 11 maunds or other equivalent produce and whose average maturity is 90 to 110 per cent. The following key for soil valuation was evolved :—

| average yield of wheat maunds per acre matured | annas |
|---------------------------------------------------|-----------|
| 14 and above | 18 |
| 13 and above but less than 14 | 17½ |
| 12 Do. 13 | 17 |
| 11 Do. 12 | 16½ |
| 10 Do. 11 | 16 |
| 9 Do. 10 | 14 |
| 8 Do. 9 | 12 |
| 7 Do. 8 | 10 |
| 6 Do. 7 | 9 |
| 5 Do. 6 | 8 |
| 4 Do. 5 | 7 |
| 3 Do. 4 | 6 |
| 2½ Do. 3 | 5 |
| 2 Do. 2½ | 4 |
| 1½ Do. 2 | 3 |
| 1 Do. 1½ | 2 |
| ½ Do. 1 | 1 |
| Less than ½ | ½ or less |

This key for land valuation is divided into four parts, the baseline being 16 annas. Above 16 annas the maximum increase permitted in the scale is 2 annas. The scale moves up by half an anna for every increase of one maund. This is because it is felt that increase in the quantity of land to another should not exceed $12\frac{1}{2}$ per cent. The second part of the scale is between 10 annas and 16 annas. It lies in the range of 7 to 10 maunds which comprises the bulk of the cultivated land of most districts. To make the scale sensitive, for every decrease in yield by one maund, value falls by two annas.

The third part of the scale is between 10 annas and 6 annas, the decrease being an anna per maund. This range comprises lands which are relatively poor, but not so completely uneconomic as to go out of cultivation. In the fourth part below six annas the figure of yield is in fact an average of three or four years or even more. This range of yield is to be met in those areas in which a year of adequate rainfall is followed by years of scarcity. In this case, for every half a maund of increase or decrease in yield, the value rises or falls by one anna.

10. Rajasthan :

(i) Rajasthan area :

For purposes of a scheme of standard acre, a standard rate is first worked out. The standard rate represents the average land revenue for the State as a whole. An acre of land which bears the average land revenue would thus represent a standard acre. The valuation in terms of standard acres is worked out by dividing the total land revenue assessed on it by the area of the holding.

(ii) Ajmer Area :

In Ajmer an acre of 'Chahi-I' class of land represents a standard acre. Lands of other classes have been given relative value on *ad hoc* basis after local enquiries keeping, in view the produce estimates of various classes of land. The formulation adopted is as under :—

| | annas |
|-------------------------------------------------------------|-------|
| (a) Chahi A, Chahi-I plus Bari | 20 |
| (b) Chahi I | 16 |
| (c) Chahi II and Talabi I | 12 |
| (d) Chahi III, Talabi II, Abi I Gormia I and Mal I | 8 |
| (e) Mal II, Abi II, Gormia II, and Barani I | 6 |
| (f) Talabi III, Mal III, Abi III, Barani II and III | 4 |

11. Uttar Pradesh :

The standard acre scheme is based on the average yield of crops. The land yielding a produce equivalent in value to the price of nine maunds of wheat has been taken to be a standard acre. The average yield for the previous three years (*i.e.* 1952-53 and 1954-55) of the commodity mostly sown in the holding during the last three years has been taken to be the average yield of the

holding. In cases where different crops have been sown during the last three years, the yield of the most profitable crop sown, has been taken as the yield of the holding. The average price of wheat and other commodities has been worked out on the basis of the average of the wholesale prices during the last three years.

No consideration has been given in calculating standard acre to double cropped areas as against single cropped areas.

For groves and orchards the standard acres are being worked out on the basis of the multiples adopted for the purpose of the Agricultural Income Tax assessment taking the multiple $12\frac{1}{2}$ as a 'standard acre'. For example, if for the purpose of agricultural Income Tax assessment, the multiple for a mango grove in a district is $6\frac{1}{4}$, then one ordinary acre of such grove has been taken to be $6\frac{1}{4}/12\frac{1}{2}$ or $\frac{1}{2}$ 'standard' acre.

For pasture lands a ready formula that one ordinary acre is equal to 0·1 standard acre has been adopted for the whole of the State.

12. Delhi :

The formula for standard acre is based on the revenue rates of different classes of soil as worked out in the last settlement which was made in 1908-1909. Land with revenue rates varying between Rs. 3 and Rs. 3-4-0 per acre represents the standard acre with 16 anna value. Other classes of lands have been converted into standard acres in proportion to the revenue rates applicable to them (The revenue rate is equal to half the net produce assessed or equal to gross produce minus cost of cultivation).

13. Himachal Pradesh :

In Himachal Pradesh various classes of land have been given ad hoc values keeping in view the productivity, means of irrigation, land revenue, rents, etc. The scheme adopted is as follows :—

| | annas |
|-----------------------------------------------------|----------------|
| 1. Irrigated I (Kuhli, Kiar & Nehri I) | 16 |
| 2. Irrigated II (Kuhli, Kiar & Nehri II) | 14 |
| 3. Unirrigated I (Barani, Bakhal & Obar I) | 12 |
| 4. Unirrigated II (Barani, Bakhal & Obar II) | 8 |
| 5. Unirrigated III (Barani, Bakhal & Obar III) | 5 |
| 6. Banjar | 3 |
| 7. Ghasanies or Kharetar or Ruttas | $1\frac{1}{2}$ |
| 8. Selab I | 14 |
| 9. Selab II | 12 |
| 10. Tea Garden (It is a class of land in Mandi Dt.) | 2 |
| 11. Beherli I (Bilaspur Dt.) | 5 |
| 12. Beherli II (Bilaspur Dt.) | $3\frac{1}{2}$ |
| 13. Kuhli III (Mandi Dt.) | 13 |
| 10—1 Plan. Com./60. | |

APPENDIX III-A

CENSUS OF LAND HOLDINGS AND CULTIVATION—STATEWISE

Distribution and size of holdings

(A) States where complete enumeration of holdings of all size groups was conducted

(in thousands)

| | grades of holdings (in acres) | | | | | | all grades | |
|----------------------------------------------------------|-------------------------------|--------|--------|--------|--------|-------|---------------|-----------|
| not ex- ceeding 2·5 | 2·5—5·0 | 5—10 | 10—20 | 20—30 | 30—40 | 40—60 | 60—100 | above 100 |
| 1. ANDHRA | | | | | | | | |
| <i>(i) Former Andhra area</i> | | | | | | | | |
| (a) area owned : | | | | | | | | |
| number of holdings | 1,253 | 514 | 423 | 272 | 87 | 39 | 17 | 9 |
| percentage | (47·4) | (19·4) | (16·0) | (10·2) | (3·3) | (1·5) | (0·6) | (0·4) |
| area | 1853 | 2976 | 3790 | 2115 | 1318 | 1258 | 1816 | 18034 |
| percentage | (10·3) | (16·5) | (21·0) | (11·7) | (7·3) | (7·0) | (10·1) | (100) |
| (b) area under personal cultivation (⁽¹⁾) : | | | | | | | | |
| number of holdings | 1188 | 486 | 396 | 253 | 80 | 35 | 27 | 14 |
| percentage | (47·8) | (19·6) | (15·9) | (10·2) | (3·2) | (1·4) | (0·6) | (0·2) |
| area | 1303 | 1713 | 2739 | 3478 | 1900 | 1174 | 1295 | 1048 |
| percentage | (8·3) | (10·8) | (17·3) | (22·0) | (12·1) | (7·4) | (8·2) | (6·6) |
| (c) area leased : | | | | | | | | |
| area | 96 | 122 | 192 | 247 | 150 | 100 | 133 | 137 |
| percentage | (6·2) | (7·9) | (12·4) | (15·9) | (9·7) | (6·5) | (8·6) | (8·9) |
| of area owned | 6·7 | 6·6 | 6·5 | 7·1 | 7·6 | 8·9 | 10·8 | 20·5 |

⁽¹⁾ does not include cultivable land lying fallow for more than a year.

(in thousands)

grades of holdings (in acres)

| | not exceeding 2·5 | 2·5—5·0 | 5—10 | 10—20 | 20—30 | 30—40 | 40—60 | 60—100 | all above 100 | all grades |
|------------------------------------------------------|----------------------|---------|--------|--------|--------|--------|--------|--------|------------------|---------------|
| (ii) <i>Telengana area</i> | | | | | | | | | | |
| (a) area owned : | | | | | | | | | | |
| number of holdings | 388 | 263 | 331 | 126 | 64 | 59 | 37 | 28 | 1607 | |
| percentage | (24·2) | (16·4) | (20·6) | (7·8) | (4·0) | (3·6) | 2·3 | 1·7 | (100) | |
| area | 447 | 968 | 4413 | 3101 | 2196 | 2853 | 2863 | 5776 | 25033 | |
| percentage | (1·8) | (3·9) | (9·6) | (17·6) | (12·4) | (8·8) | (11·4) | (23·1) | (100) | |
| (b) area under personal cultivation ⁽¹⁾ : | | | | | | | | | | |
| number of holdings | 379 | 249 | 308 | 287 | 118 | 58 | 53 | 34 | 21 | 1507 |
| percentage | (25·1) | (16·5) | (20·5) | (7·8) | (3·9) | (3·5) | (2·2) | (1·5) | (100) | |
| area | 441 | 945 | 2255 | 4086 | 2870 | 2013 | 2566 | 2535 | 3936 | 21647 |
| percentage | (2·0) | (4·4) | (10·4) | (18·8) | (13·3) | (9·3) | (11·9) | (11·7) | (18·2) | (100) |
| (c) area leased : | | | | | | | | | | |
| area | • | • | 32 | 81 | 203 | 397 | 219 | 302 | 319 | 1556 |
| percentage | • | • | (0·9) | (2·4) | (6·0) | (11·8) | (8·1) | (6·4) | (9·4) | (46·0) |
| percentage of area owned. | 7·2 | 8·4 | 9·0 | 9·0 | 8·9 | 9·9 | 10·6 | 11·2 | 26·9 | 13·5 |

(1) area in terms of 'dry acres' ordinary acres have been converted into dry acres by equating one wet acres to 6 acres, on an average.

(A) States where complete enumeration of holdings of all size groups was conducted—contd.

(in thousands)

| | | grades of holdings (in acres) | | | | | | | | |
|------------------------------------------------------|--------|-------------------------------|--------|--------|--------|--------|--------|--------|--------------------------|------------|
| not exceeding | 2·5 | 2·5—5·0 | 5—10 | 10—20 | 20—30 | 30—40 | 40—60 | 60—100 | above 100 | all grades |
| 2. GUJARAT | | | | | | | | | | |
| (a) area owned : | | | | | | | | | | |
| number of holdings | 536 | 329 | 388 | 342 | 156 | 86 | 70 | 29 | 9 | |
| percentage | (27·6) | (16·9) | (19·9) | (17·6) | (8·0) | (4·4) | (3·6) | (1·5) | 1945 (100·0) | |
| area | 704 | 1194 | 2823 | 4925 | 3842 | 2960 | 3363 | 2153 | 1630 23594 (100·0) | |
| percentage | (3·0) | (5·1) | (12·0) | (20·9) | (16·3) | (12·5) | (14·2) | (9·1) | (6·9) | |
| (b) area under personal cultivation ⁽¹⁾ : | | | | | | | | | | |
| number of holdings | 462 | 308 | 358 | 293 | 182 | 81 | 66 | 27 | 7 1784 (100·0) | |
| percentage | (25·9) | (17·3) | (20·1) | (16·4) | (10·2) | (4·5) | (3·7) | (1·5) | | |
| area | 567 | 1110 | 2543 | 4024 | 4236 | 2808 | 3146 | 1981 | 1040 21455 (100·0) | |
| percentage | (2·6) | (5·2) | (11·9) | (18·7) | (19·7) | (13·1) | (14·7) | (9·2) | (4·9) | |
| (c) area leased : | | | | | | | | | | |
| area | 109 | 172 | 288 | 351 | 202 | 136 | 159 | 149 | 382 1948 (100·0) | |
| percentage | (5·6) | (8·8) | (14·8) | (18·0) | (10·4) | (7·0) | (7·6) | (6·9) | | |
| percentage of area owned | 15·5 | 14·4 | 10·2 | 7·1 | 5·3 | 4·6 | 4·7 | 23·4 | 8·3 | |

(1) In Kutch area, the culturable waste lands held by owners have been included in 'area owned', but not in area under personal cultivation.

(in thousands)

grades of holdings (in acres)

| | not exceeding 2.5 | 2.5—5.0 | 5—10 | 10—20 | 20—30 | 30—40 | 40—60 | 60—100 | above 100 | all grades |
|--|----------------------|---------|------|-------|-------|-------|-------|--------|--------------|---------------|
| | | | | | | | | | | |

3. MADHYA PRADESH (¹)

(a) area owned :

| | | | | | | | | |
|--------------------|--------|--------|--------|-------|-------|-------|-------|-------|
| number of holdings | 4324 | 754 | 260 | 111 | 85 | 43 | 22 | 5599 |
| percentage | (77.2) | (13.5) | (4.6) | (2.0) | (0.8) | (0.4) | (0.4) | (100) |
| area. | 14250 | 10587 | 6312 | 3827 | 4108 | 3232 | 4119 | 4635 |
| percentage | (30.7) | (22.8) | (13.6) | (8.2) | (8.8) | (7.0) | (8.9) | (100) |

(b) area under personal cultivation (²) :

| | | | | | | | | |
|--------------------|--------|--------|--------|--------|--------|-------|-------|-------|
| number of holdings | 1643 | 839 | 640 | 214 | 90 | 67 | 33 | 16 |
| percentage | (37.3) | (19.0) | (19.6) | (14.5) | (2.0) | (1.5) | (0.8) | (100) |
| area. | 1650 | 3047 | 6180 | 8932 | 3072 | 3216 | 2461 | 36615 |
| percentage | (4.5) | (8.3) | (16.9) | (24.4) | (14.2) | (8.4) | (6.7) | (100) |

(c) area leased :

| | | | | | | | | | | |
|---------------------------|-------|-------|--------|--------|--------|-------|-------|-------|--------|-------|
| area (³) | 101 | 178 | 370 | 555 | 338 | 219 | 264 | 245 | 528 | 2798 |
| percentage | (3.6) | (6.4) | (13.2) | (19.7) | (12.1) | (7.9) | (9.4) | (8.8) | (18.9) | (100) |
| percentage of area owned. | .. | .. | .. | 5.2 | 5.4 | 5.7 | 6.4 | 7.5 | 12.8 | 6.7 |

(¹) excludes Sironj sub-division transferred from former Rajasthan, as no census was conducted in this area.
 (²) excludes Vindhya Pradesh area.

(A) States where complete enumeration of holdings of all size groups was conducted—contd.

(in thousands)

| | grades of holdings (in acres) | | | | | | | | | |
|-------------------------------------------|-------------------------------|---------|--------|--------|-------|-------|-------|--------|--------------|---------------|
| | not exceeding 2.5 | 2.5—5.0 | 5—10 | 10—20 | 20—30 | 30—40 | 40—60 | 60—100 | above 100 | all grades |
| 4. MADRAS () | | | | | | | | | | |
| (a) area owned : | | | | | | | | | | |
| number of holdings | 1852 | 934 | 739 | 391 | 104 | 42 | 32 | 18 | 12 | 4124 |
| percentage | (44.9) | (22.6) | (17.9) | (9.5) | (2.5) | (1.1) | (0.8) | (0.4) | (0.3) | (100) |
| area | 2231 | 3360 | 5136 | 5389 | 2525 | 1424 | 1546 | 1357 | 2799 | 25768 |
| percentage | (8.7) | (13.0) | (19.9) | (21.0) | (9.8) | (5.5) | (6.0) | (5.3) | (10.8) | (100) |
| (b) area under personal cultivation (¹) : | | | | | | | | | | |
| number of holdings | 1786 | 884 | 691 | 362 | 93 | 37 | 28 | 15 | 9 | 3905 |
| percentage | (45.7) | (22.6) | (17.7) | (9.3) | (2.4) | (0.9) | (0.8) | (0.4) | (0.2) | (100) |
| area | 2167 | 3170 | 4808 | 4962 | 2237 | 1315 | 1318 | 1113 | 1949 | 2338 |
| percentage | (9.4) | (13.8) | (20.8) | (21.5) | (9.7) | (5.7) | (5.8) | (4.8) | (8.5) | (100) |
| (c) area leased : | | | | | | | | | | |
| area | 114 | 175 | 286 | 362 | 200 | 138 | 188 | 208 | 817 | 2487 |
| percentage | (4.6) | (7.0) | (11.5) | (14.6) | (8.0) | (5.5) | (7.6) | (8.4) | (32.8) | (100) |
| of area owned | 5.1 | 5.2 | 5.6 | 6.7 | 7.9 | 9.7 | 12.1 | 15.3 | 29.2 | 9.7 |

(¹) the data refer to Madras excluding the area transferred from the former state of Travancore-Cochin for which data are not available. Besides, area of holdings has been expressed in terms of 'dry acres'. One wet acre has been deemed to be equal to 'three dry acres'.

(²) lands left waste due to the negligence of the owner and 'mamool' waste, though included in area owned, have been excluded from area under personal cultivation.

(in thousands)

143

grades of holdings (in acres)

| | not exceeding 2.5 | 2.5—3.0 | 3—10 | 10—20 | 20—30 | 30—40 | 40—60 | 60—100 | above 100 | all grades |
|-------------------------------------------|----------------------|---------|--------|--------|--------|--------|--------|--------|--------------|---------------|
| 5. MAHARASHTRA (1) | | | | | | | | | | |
| (a) area owned : | | | | | | | | | | |
| number of holdings | 1392 | 786 | 898 | 785 | 317 | 156 | 131 | 70 | 33 | 4568 |
| percentage | (30.5) | (17.2) | (19.7) | (17.2) | (6.9) | (3.4) | (2.9) | (1.5) | (0.7) | (100.0) |
| area | 1605 | 2935 | 6497 | 11172 | 784 | 5408 | 6313 | 5202 | 6530 | 53446 |
| percentage | (5.5) | (12.2) | (12.2) | (20.9) | (14.6) | (10.1) | (11.8) | (9.7) | (12.2) | (100.0) |
| (b) area under personal cultivation (1) : | | | | | | | | | | |
| number of holdings | 1261 | 691 | 779 | 712 | 242 | 135 | 113 | 58 | 23 | 4014 |
| percentage | (31.4) | (17.2) | (19.4) | (17.7) | (6.9) | (3.4) | (2.8) | (1.5) | (0.6) | (100.0) |
| area | 1429 | 2552 | 5541 | 10115 | 6057 | 4603 | 5355 | 4220 | 4004 | 43875 |
| percentage | (5.8) | (12.6) | (12.6) | (23.1) | (13.8) | (10.5) | (12.2) | (9.6) | (9.1) | (100.0) |
| (c) area leased : | | | | | | | | | | |
| area | 251 | 486 | 1069 | 1763 | 1199 | 824 | 964 | 830 | 2134 | 9570 |
| percentage | (2.6) | (5.1) | (11.2) | (18.4) | (12.5) | (8.6) | (10.1) | (9.2) | (22.3) | (100.0) |
| percentage of area owned. | 15.6 | 16.6 | 16.5 | 15.8 | 15.4 | 15.2 | 15.3 | 16.9 | 32.7 | 17.9 |

(1) in Marathwada, area of holdings has been expressed in terms of 'dry acres'. One ordinary acre is, on an average, equal to 1.002 dry acres. Since the difference is small, in working out the distribution of holdings for the state as a whole, a dry acre has been equated to an ordinary acre.

(B) States where the enumeration was restricted to 10 acres or more

(in thousands)

| | grades of holdings (in acres) | | | | | | |
|--------------------------------------|-------------------------------|--------|--------|--------|--------|--------|-----------|
| | not exceeding 10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 |
| 1. MYSORE | | | | | | | |
| (a) area owned: | | | | | | | |
| number of holdings | 1790 | 430 | 160 | 74 | 59 | 30 | 14 |
| Percentage | (70.0) | (16.8) | (6.3) | (2.9) | (2.3) | (1.2) | (0.5) |
| area | 7004 | 6139 | 2531 | 2840 | 2240 | 2780 | 2557 |
| Percentage | (25.5) | (22.4) | (14.3) | (9.2) | (10.3) | (8.2) | (10.0) |
| (b) area under personal cultivation: | | | | | | | |
| number of holdings | .. | .. | 373 | 133 | 61 | 47 | 22 |
| area | .. | .. | 3781 | 3266 | 2070 | 1493 | 1660 |
| (c) area leased : | | | | | | | |
| area | .. | .. | .. | 958 | 680 | 454 | 1061 |
| percentage of area owned | .. | .. | .. | (15.6) | (17.4) | (17.9) | (22.5) |
| | | | | | | | 4200 |
| | | | | | | | (20.5)* |

Note.—(1) in Mysore and Coorg areas, holdings of 10 acres and above were enumerated but in areas transferred from Bombay, Hyderabad and Madras, holdings of all size groups were enumerated.

(2) in Karnataka, area of holdings has been expressed in terms of 'dry acres'. One ordinary acre, on an average, is equal to 1.01 dry acres. Since the difference is small, in working out the distribution of holdings for the state as a whole, a dry acre has been equated to an ordinary acre.

*relates to holdings of 10 acres and above.

(in thousands)

| | grades of holdings (in acres) | | | | | | |
|--------------------------------------|-------------------------------|--------|--------|--------|--------|--------------|-----------------------|
| not exceeding 10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 | all grades |
| 2. PUNJAB | | | | | | | |
| (a) area owned: | | | | | | | |
| number of holdings | 2595 | 284 | 96 | 42 | 32 | 17 | 2984 |
| percentage | (83.9) | (9.5) | (3.2) | (1.4) | (1.1) | (0.6) | (100) |
| area | 6963 | 4040 | 2329 | 1446 | 1564 | 1278 | 19258 |
| percentage | (36.1) | (21.0) | (12.1) | (7.5) | (8.1) | (6.7) | (100) |
| (b) area under personal cultivation: | | | | | | | |
| number of holdings | ... | 233 | 76 | 32 | 23 | 10 | 4 |
| area | ... | 3313 | 1831 | 1070 | 1076 | 732 | 378 |
| (c) area leased: | | | | | | | |
| area | ... | 751 | 495 | 342 | 437 | 439 | 858 |
| percentage of area owned | ... | (18.6) | (21.3) | (23.7) | (27.9) | (34.4) | (52.4) |
| | | | | | | | (27.0) ⁽¹⁾ |

⁽¹⁾ relates to holdings of 10 acres and above.

(B) States where the enumeration was restricted to 10 acres or more—contd.

(in thousands)

| | grades of holdings (in acres) | | | | | | | |
|--------------------------------------|-------------------------------|--------|-------|-------|-------|--------|-----------|---------------|
| | not exceeding 10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 | all grade |
| 3. DELHI | | | | | | | | |
| (a) area owned: | | | | | | | | |
| number of holdings | 87 | 4 | 1 | (n) | (n) | (n) | (n) | 92 (100) |
| percentage | (94.6) | (4.1) | (0.9) | (0.2) | (0.1) | (0.1) | (0.1) | 241 (100) |
| area | 152 | 51 | 19 | 8 | 5 | 3 | 3 | |
| percentage | (62.9) | (21.2) | (7.9) | (3.5) | (2.0) | (1.2) | (1.3) | |
| (b) area under personal cultivation: | | | | | | | | |
| number of holdings | .. | .. | .. | (n) | (n) | (n) | (n) | 5 87 |
| area | .. | .. | .. | .. | .. | .. | .. | |
| (c) area leased: | | | | | | | | |
| area | .. | .. | .. | .. | .. | .. | .. | |
| percentage of area owned | .. | .. | .. | .. | .. | .. | .. | 2(1) (2.6) |
| 4. HIMACHAL PRADESH | | | | | | | | |
| (a) area owned: | | | | | | | | |
| number of holdings | 621 | 8 | 1 | (n) | (n) | (n) | (n) | 630 (100) |
| percentage | (98.5) | (1.2) | (0.2) | (0.1) | (0.1) | (0.1) | (0.1) | |
| area | 101 | 31 | 11 | 8 | 8 | 7 | 7 | 707 (100) |
| percentage | (76.2) | (14.3) | (4.4) | (1.6) | (1.1) | (0.9) | (0.9) | |
| (b) area under personal cultivation: | | | | | | | | |
| number of holdings | .. | .. | .. | .. | .. | .. | .. | |
| area | .. | .. | .. | .. | .. | .. | .. | |
| (c) area leased: | | | | | | | | |
| area | .. | .. | .. | .. | .. | .. | .. | 9 160 |
| percentage of area owned | .. | .. | .. | .. | .. | .. | .. | |

(n) means less than 300 or 0.05%

(1) relates to holdings of 10 acres and above.

(2) in Chamba district, the census was carried out in Bhattiya tehsil; in 58 random villages of Chamba tehsil and 36 random villages in Churah tehsil.

(C) State where enumeration of holdings was on sample basic

(in thousands)

147

| | grades of holdings (in acres) | | | | | | | | | |
|--------------------------------------|-------------------------------|---------|--------|--------|-------|-------|-------|--------|-----------|---------------|
| | not exceeding 2.5 | 2.5—5.0 | 5—10 | 10—20 | 20—30 | 30—40 | 40—60 | 60—100 | above 100 | all grades |
| i. TRAVANCORE-COCHIN | | | | | | | | | | |
| KERALA | | | | | | | | | | |
| SAYAMBI JAYAN | | | | | | | | | | |
| (a) area owned: | | | | | | | | | | |
| number of holdings | 1974 | 191 | 80 | 26 | 6 | 2 | | | | 2283 (100) |
| percentage | (86.5) | (8.4) | (3.5) | (1.1) | (0.3) | (0.1) | | | | |
| area | 1229 | 668 | 541 | 340 | 146 | 72 | | | | 3323 (100) |
| percentage | (37.0) | (20.1) | (16.3) | (10.2) | (4.4) | (2.2) | | | | |
| (b) area under personal cultivation: | | | | | | | | | | |
| number of holdings | 1958 | 176 | 67 | 20 | 4 | 1 | | | | 2228 (100) |
| percentage | (87.9) | (7.9) | (3.0) | (0.9) | (0.1) | (0.1) | | | | |
| area | 1346 | 621 | 456 | 262 | 86 | 42 | | | | 2957 (100) |
| percentage | (45.5) | (21.0) | (15.5) | (8.8) | (2.9) | (1.4) | | | | |
| (c) area leased: | | | | | | | | | | |
| area | 38 | 31 | 51 | 49 | 29 | 19 | | | | 366 (100) |
| percentage | (10.5) | (8.5) | (14.1) | (10.9) | (7.9) | (5.1) | | | | |
| percentage of area owned | 3.1 | 4.7 | 9.5 | 11.7 | 19.9 | 25.8 | | | | 11.0 |

(C) States where enumeration of holdings was on sample basis.—contd.

(in thousands)

| | grades of holdings (in acres) | | | | | | above 100 | all grades |
|------------------------------------------|-------------------------------|---------------|---------------|--------------|-------------|------------|--------------|---------------|
| not exceeding 2.5 | 2.5-5.0 | 5-10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 |
| (ii) Malabar (¹) | | | | | | | | |
| (a) area owned: | | | | | | | | |
| number of holdings | 374 (51.5) | 130 (18.0) | 103 (14.2) | 73 (10.0) | 20 (2.8) | 9 (1.3) | 8 (1.1) | 5 (0.6) |
| percentage | | | | | | | | 3 (0.5) |
| (b) area under personal cultivation (²): | | | | | | | | |
| number of holdings | 372 (51.7) | 129 (17.9) | 102 (14.2) | 72 (10.0) | 20 (2.8) | 9 (1.3) | 8 (1.1) | 4 (0.6) |
| percentage | | | | | | | | 3 (0.4) |
| (c) area leased: | | | | | | | | |
| area | | | | | | | | |
| percentage | | | | | | | | |
| percentage of area owned | 1.0 | 0.8 | 0.9 | 1.3 | 2.9 | 3.6 | 3.5 | 4.8 |
| | | | | | | | | 8.6 |
| | | | | | | | | 3.3 |

(¹) census was based on complete enumeration of holdings of all size groups. Area has been expressed in terms of 'dry acres'.

(²) *vide* footnote (2) under Madras.

(in thousands)

| | grades of holdings (in acres) | | | | | | above 100 | all grades |
|----------------------------------------------------------------------|-------------------------------|--------|--------|--------|--------|-------|--------------|---------------|
| not exceeding ing 2 5 2·5—5·0 5—10 10—20 20—30 30—40 40—60 60—100 | | | | | | | | |
| 2. RAJASTHAN | | | | | | | | |
| (i) Former Rajasthan ⁽¹⁾ | | | | | | | | |
| (a) area owned: | | | | | | | | |
| number of holdings | 53 | 31 | 34 | 26 | 9 | 4 | 3 | 2 |
| percentage | (32·2) | (19·2) | (21·0) | (15·8) | (5·6) | (2·7) | (2·0) | (0·5) |
| area | 58 | 114 | 244 | 361 | 220 | 147 | 157 | 126 |
| percentage | (3·7) | (7·3) | (15·6) | (23·1) | (14·1) | (9·4) | (10·1) | (8·0) |
| (b) area under personal cultivation: | | | | | | | | |
| number of holdings | 48 | 29 | 32 | 23 | 8 | 3 | 3 | 1 |
| percentage | (32·5) | (20·0) | (21·5) | (15·6) | (5·3) | (2·3) | (1·8) | (0·8) |
| area | 55 | 108 | 228 | 324 | 189 | 116 | 122 | 83 |
| percentage | (4·3) | (8·4) | (17·8) | (25·2) | (14·7) | (9·0) | (9·5) | (6·4) |
| (c) area leased: | | | | | | | | |
| area | 6 | 11 | 22 | 40 | 28 | 34 | 45 | 66 |
| percentage | (2·2) | (4·0) | (7·9) | (14·4) | (10·1) | (9·3) | (12·2) | (23·7) |
| percentage of area owned | 10·4 | 9·6 | 9·1 | 11·1 | 12·6 | 17·7 | 21·6 | 35·6 |
| | | | | | | | | 49·0 |
| | | | | | | | | 17·8 |

⁽¹⁾ data relate to 22 selected tehsils.

(n) means less than 500 or 0·05%.

(C) States where enumeration of holdings was on sample basis—contd.

(in thousands)

| | grades of holdings (in acres) | | | | | | above 100 | | | all grades | |
|--------------------------------------|-------------------------------|--------|--------|--------|--------|-------|--------------|-------|--------------|---------------|---------------|
| not exceeding 2.5 | 2.5-5.0 | 5-10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | 100 | above 100 | 100 | all grades |
| (ii) Ajmer area ⁽¹⁾ | | | | | | | | | | | |
| (a) area owned: | | | | | | | | | | | |
| number of holdings . | 57 | 21 | 18 | 10 | 3 | 1 | 1 | 1 | 1 | 1 | 111 (100) |
| percentage . | (51.6) | (19.1) | (16.3) | (9.2) | (2.3) | (0.8) | (0.5) | (0.2) | (n) | (n) | (100) |
| area | 56 | 76 | 128 | 143 | 63 | 30 | 24 | 13 | 18 | 18 | 551 (100) |
| percentage . | (10.2) | (13.7) | (23.2) | (26.0) | (11.5) | (5.4) | (4.4) | (2.4) | (3.2) | (3.2) | |
| (b) area under personal cultivation: | | | | | | | | | | | |
| number of holdings . | 57 | 21 | 18 | 10 | 2 | 1 | 1 | 1 | 1 | 1 | 110 (100) |
| percentage . | (51.9) | (19.1) | (16.1) | (9.2) | (2.3) | (0.8) | (0.4) | (0.2) | (n) | (n) | (100) |
| area | 55 | 75 | 125 | 142 | 62 | 29 | 24 | 13 | 17 | 17 | 542 (100) |
| percentage . | (10.2) | (13.8) | (23.1) | (26.2) | (11.4) | (5.4) | (4.3) | (2.4) | (3.2) | (3.2) | |
| (c) area leased: | | | | | | | | | | | |
| area | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 (100) |
| percentage . | (10.5) | (10.2) | (18.0) | (25.7) | (14.4) | (6.6) | (8.1) | (1.8) | (4.7) | (4.7) | |
| percentage of area owned | 1.7 | 1.2 | 1.3 | 1.7 | 2.1 | 2.1 | 3.1 | 1.3 | 2.4 | 2.4 | 1.7 |

(1) data collected based on complete enumeration of holdings of all size groups.
(n) means less than 500 or 0.05%.

(in thousands)

| | grades of holdings (in acres) | | | | | | above 100 | all grades | | |
|--------------------------------------|-------------------------------|---------|--------|-------|-------|--------------|--------------|---------------|--------------|----------------|
| | not exceed- ing 2·5 | 2·5-5·0 | 5-10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 | all grades |
| 3. UTTAR PRADESH (1) | | | | | | | | | | |
| (a) area owned: | | | | | | | | | | |
| number of holdings | 33 | (16·8) | 8 | 4 | 2 | (n) (0·7) | (n) (0·2) | (n) (0·2) | (n) (0·1) | (48 (100)) |
| percentage | 29 | (21·4) | 29 | 32 | 24 | 8 | 4 | 3 | 3 | 134 (100)) |
| area | | | | | | | | | | |
| percentage | | | | | | | | | | |
| (b) area under personal cultivation: | | | | | | | | | | |
| number of holdings | 32 | (16·8) | 8 | 4 | 2 | (n) (0·7) | (n) (0·2) | (n) (0·1) | (n) (0·1) | 47 (100)) |
| percentage | 28 | (21·4) | 32 | 24 | 24 | 8 | 4 | 3 | 3 | 133 (100)) |
| area | | | | | | | | | | |
| percentage | | | | | | | | | | |
| (c) area leased: | | | | | | | | | | |
| percentage | 25·7 | (18·4) | (15·0) | 5·5 | (5·8) | (0·9) | (3·4) | (13·6) | (11·7) | (100 (1·1)) |
| percentage of area owned | (1·2) | (0·9) | (0·7) | (0·3) | (1·0) | (0·4) | (1·5) | (8·0) | (6·0) | |

(1) data relate to 204 sample villages. No estimates were made for the State as a whole.

APPENDIX III-B**CENSUS OF LAND HOLDINGS AND CULTIVATION—ALL STATES****(i) Distribution of area owned
(percentages)**

| state/unit | total (in thou- sands) acres/no. | grades of holdings (acres) | | | | | | | | | | | |
|--------------------------------|----------------------------------------------|----------------------------|----------------|----------------|----------------|----------------|---------------|---------------|---------------|---------------|------------------|------------------|--|
| | | less than 2.5 | 2.5-5.0 | 5-10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | 100- 100 | above 100 | all grades | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | | |
| 1. Andhra Pradesh | | | | | | | | | | | | | |
| (i) Andhra area . . . | area (nos.) | 18034 (2645) | 7.9 (47.4) | 10.3 (19.4) | 16.5 (16.0) | 21.0 (10.2) | 11.7 (3.3) | 7.3 (1.5) | 8.2 (1.2) | 7.0 (0.6) | 10.1 (0.4) | 100.0 (100.0) | |
| (ii) Telengana . . . | area (nos.) | 2593* (1607) | 1.8 (24.2) | 3.9 (16.4) | 9.6 (20.6) | 17.6 (19.4) | 12.4 (7.8) | 8.8 (4.0) | 11.4 (3.6) | 11.4 (2.3) | 23.1 (1.7) | 100.0 (100.0) | |
| 2. Gujarat . . . | area (nos.) | 23594 (1945) | 3.0 (27.6) | 5.1 (16.9) | 12.0 (19.9) | 20.9 (17.6) | 16.3 (8.0) | 12.5 (4.4) | 14.2 (3.6) | 9.1 (1.5) | 6.9 (0.5) | 100.0 (100.0) | |
| 3. Kerala | | | | | | | | | | | | | |
| (i) Travancore-Cochin | area (nos.) | 3323 (2283) | 37.0 (86.5) | 20.1 (8.4) | 16.3 (3.5) | 10.2 (1.1) | 4.4 (0.3) | 2.2 (0.1) | 9.8 (0.1) | 9.8 (0.1) | 100.0 (100.0) | | |
| (ii) Malabar . . . | area (nos.) | 5254* (725) | 7.9 (51.5) | 9.1 (18.0) | 14.1 (14.2) | 19.4 (10.0) | 9.3 (2.8) | 6.4 (1.3) | 7.3 (1.1) | 6.7 (0.6) | 19.8 (0.5) | 100.0 (100.0) | |
| 4. Madhya Pradesh . . . | area (nos.) | 46435 (5599) | 30.7 (77.2) | 22.8 (13.5) | 13.6 (4.6) | 8.2 (2.0) | 8.8 (1.5) | 7.0 (0.8) | 8.9 (0.8) | 8.9 (0.4) | 100.0 (100.0) | | |
| 5. Madras . . . | area (nos.) | 25788* (4124) | 8.7 (44.9) | 13.0 (22.6) | 19.9 (17.9) | 21.0 (9.5) | 9.8 (2.5) | 5.5 (1.1) | 6.0 (0.8) | 5.3 (0.3) | 10.8 (0.4) | 100.0 (100.0) | |

*area in terms of 'dry acres'. Ordinary acres have been converted into 'dry acres' by equating one wet acre = 3 dry acres in Madras and 6 acres (on an average) in the former Hyderabad State.

| state/unit | total (in thou- sands) acres/no. | grades of holdings (acres) | | | | | | | | | |
|----------------------------------|----------------------------------------------|----------------------------|----------------|----------------|----------------|---------------|---------------|---------------|--------------|---------------|------------------|
| | | less than 2.5 | 2.5-5.0 | 5-10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 | all grades |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 6. Maharashtra | 53446 (4568) | 3.0 (30.5) | 5.5 (17.2) | 12.2 (19.7) | 20.9 (17.2) | 14.6 (6.9) | 10.1 (3.4) | 11.8 (2.9) | 9.7 (1.5) | 12.2 (0.7) | 100.0 (100.0) |
| 7. Mysore | 27448 (2557) | — (70.0) | 25.5 (70.0) | — (16.8) | 22.4 (16.8) | 14.3 (2.9) | 9.2 (2.3) | 10.3 (1.2) | 8.2 (1.2) | 10.1 (0.5) | 100.0 (100.0) |
| 8. Punjab. | 19258 (2984) | — (nos.) | 36.1 (83.9) | — (9.5) | 21.0 (3.2) | 12.1 (1.4) | 7.5 (1.1) | 8.1 (0.6) | 6.7 (0.6) | 8.5 (0.3) | 100.0 (100.0) |
| 9. Rajasthan | 1563 (163) | 3.7 (32.2) | 7.3 (19.2) | 15.6 (21.0) | 23.1 (15.8) | 14.1 (5.6) | 9.4 (2.7) | 10.1 (2.0) | 8.0 (1.0) | 8.7 (0.5) | 100.0 (100.0) |
| (i) Ajmer Area ⁽¹⁾ | 551 (111) | 10.2 (51.6) | 13.7 (19.1) | 23.2 (16.3) | 26.0 (9.2) | 11.5 (2.3) | 5.4 (0.8) | 4.4 (0.5) | 2.4 (0.2) | 3.2 (n) | 100.0 (100.0) |
| 10. Uttar Pradesh ⁽²⁾ | 134 (48) | 22.0 (68.6) | 21.4 (16.8) | 24.0 (9.7) | 17.8 (3.7) | 6.0 (0.7) | 2.7 (0.2) | 2.3 (0.2) | 1.7 (n) | 2.1 (0.1) | 100.0 (100.0) |
| 11. Delhi | 241 (92) | — (nos.) | 62.9 (94.6) | — (4.1) | 21.2 (4.1) | 7.9 (0.9) | 3.5 (0.2) | 2.0 (0.1) | 1.2 (0.1) | 1.3 (n) | 100.0 (100.0) |
| 12. Himachal Pradesh. | 707 (630) | area (nos.) | 76.2 (98.5) | — (1.2) | 14.3 (0.2) | 4.4 (0.1) | 1.6 (n) | 1.1 (n) | 0.9 (n) | 1.5 (n) | 100.0 (100.0) |

⁽¹⁾ data relate to 22 selected tehsils only.

⁽²⁾ total of 204 sample villages.

(n) means less than 500.

(ii) Distribution of leased area in different grades of ownership holdings

(a) As percentage of total leased area

| state/unit | total (000) acres | grades of ownership holdings (acres) | | | | | | | | | above 100 all grades |
|---------------------------------|----------------------------------------|--------------------------------------|---------|------|-------|-------|-------|-------|--------|--------------|-------------------------------|
| | | less than 2.5 | 2-5-5.0 | 5-10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 | |
| 1. Andhra Pradesh | 1,548 | 6.2 | 7.9 | 12.4 | 15.9 | 9.7 | 4.5 | 8.6 | 8.9 | 23.9 | 100.0 |
| | (i) Andhra area | 1,548 | 6.2 | 7.9 | 12.4 | 15.9 | 9.7 | 4.5 | 8.6 | 8.9 | 100.0 |
| | (ii) Telengana ⁽¹⁾ | 3,386 | 0.9 | 2.4 | 6.0 | 11.8 | 8.1 | 6.4 | 9.0 | 9.4 | 46.0 |
| 2. Gujarat | 1,948 | 5.6 | 8.8 | 14.8 | 18.0 | 10.4 | 7.0 | 8.2 | 7.6 | 19.6 | 100.0 |
| 3. Kerala | 366 | 10.5 | 8.5 | 14.1 | 10.9 | 7.9 | 5.1 | 43.0 | | | 100.0 |
| | (i) Tr.-Cochin | 366 | 10.5 | 8.5 | 14.1 | 10.9 | 7.9 | 5.1 | 43.0 | | |
| | (ii) Malabar ⁽¹⁾ | 175 | 2.4 | 2.3 | 3.8 | 8.3 | 7.9 | 6.6 | 7.7 | 9.7 | 51.3 |
| 4. Madhya Pradesh* | 2,798 | 3.6 | 6.4 | 13.2 | 19.7 | 12.1 | 7.9 | 9.4 | 8.8 | 18.9 | 100.0 |
| 5. Madras | 2,487 | 4.6 | 7.0 | 11.5 | 14.6 | 8.0 | 5.5 | 7.6 | 8.4 | 32.8 | 100.0 |
| 6. Maharashtra | 9,570 | 2.6 | 5.1 | 11.2 | 18.4 | 12.5 | 8.6 | 10.1 | 9.2 | 22.3 | 100.0 |
| 7. Rajasthan | 272 | 2.2 | 4.0 | 8.2 | 13.6 | 10.2 | 8.9 | 12.2 | 16.4 | 24.3 | 100.0 |
| | (i) Former Rajasthan ⁽²⁾ | 272 | 2.2 | 4.0 | 8.2 | 13.6 | 10.2 | 8.9 | 12.2 | 16.4 | 24.3 |
| | (ii) Ajmer area | 9 | 10.5 | 10.2 | 18.0 | 25.7 | 14.4 | 6.6 | 8.1 | 1.8 | 4.7 |
| 8. Uttar Pradesh ⁽³⁾ | 1.4 | 25.7 | 18.4 | 15.0 | 5.5 | 5.8 | 0.9 | 3.4 | 13.6 | 11.7 | 100.0 |

* excludes Vindhya Pradesha area.

⁽¹⁾ area in terms of 'dry acres' vide foot note under 'area owned'.

⁽²⁾ data relate to 22 selected tehsils.

⁽³⁾ data relate to 204 sample villages.

(b) As percentage of area owned

| state/unit | all grades | grades of ownership holdings (acres) | | | | | | | | | above 100 | |
|-------------------|-------------------------------|--------------------------------------|-------|---------|-------|------|------|-------|------|-------|--------------|----|
| | | less than 2.5 | | 2.5-5.0 | | 5-10 | | 10-20 | | 20-30 | | |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 1. Andhra Pradesh | (i) Andhra area | 8.6 | 6.7 | 6.6 | 6.5 | 6.5 | 7.1 | 7.6 | 8.9 | 10.8 | 20.5 | |
| | (ii) Telengana ⁽²⁾ | 13.6 | 7.2 | 8.4 | 8.4 | 9.0 | 8.9 | 9.9 | 10.6 | 11.2 | 26.9 | |
| 2. Gujarat | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | |
| 3. Kerala | (i) Tr.-Cochin | 11.0 | 3.1 | 4.7 | 9.5 | 11.7 | 19.9 | 25.8 | .. | 48.2 | .. | |
| | (ii) Malabar ⁽³⁾ | 3.3 | 1.0 | 0.8 | 0.9 | 8.3 | 7.9 | 6.6 | 3.5 | 4.8 | 8.6 | |
| 4. Madhya Pradesh | .. | 6.7* | .. | .. | .. | .. | 5.2 | 5.4 | 5.7 | 6.4 | 7.5 | |
| 5. Madras | Madras area ⁽²⁾ | 9.7 | 5.1 | 5.2 | 5.6 | 6.7 | 7.9 | 9.7 | 12.1 | 15.3 | 29.2 | |
| 6. Maharashtra | .. | 17.9 | 15.6 | 16.6 | 16.5 | 15.8 | 15.4 | 15.2 | 15.3 | 16.9 | 32.7 | |
| 7. Mysore | .. | .. | 20.5* | .. | .. | .. | 15.6 | 17.4 | 17.9 | 19.1 | 22.5 | |
| 8. Orissa | .. | .. | .. | 1.9* | .. | .. | 0.8 | 1.7 | 2.7 | 5.8 | 5.8 | |
| 9. Punjab | .. | .. | .. | .. | 27.0* | .. | .. | 18.6 | 21.3 | 23.7 | 34.4 | |
| | | | | | | | | | | | 52.4 | |

(ii) Distribution of leased area in different grades of ownership holdings—contd.

(b) As percentage of area owned—contd.

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|-------------------------------------------------------|-----------------|------|------|-----|------|------|------|------|------|------|
| 10. Rajasthan . . . (i) Rajasthan area ⁽¹⁾ | 17.4 | 10.4 | 9.6 | 9.1 | 10.3 | 12.6 | 16.4 | 21.1 | 35.6 | 49.0 |
| | (ii) Ajmer area | • | 1.7 | 1.7 | 1.2 | 1.3 | 1.7 | 2.1 | 2.1 | 1.3 |
| 11. Uttar Pradesh ⁽²⁾ | • | • | 1.1 | 1.2 | 0.9 | 0.7 | 0.3 | 1.0 | 0.4 | 1.5 |
| 12. Delhi | • | • | 2.6* | • | • | • | 1.6 | 2.5 | 3.6 | 5.0 |
| 13. Himachal Pradesh | • | • | 4.7* | • | • | • | 3.9 | 4.1 | 7.7 | 6.7 |

* relate to holdings above 10 acres.

(1) data relate to 22 selected tehsils only.

(2) data relate to 204 sample villages.

(3) area in terms of 'dry acres' *vide* footnote under 'area owned'.

(iii) Distribution of owned area under personal cultivation
 (a) States where complete enumeration of holdings of all size groups was conducted (percentages)

(iii) Distribution of owner area under personal cultivation—contd.
 (a) States where complete enumeration of holdings of all size groups was conducted—contd.

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|--------------------------------|-----------------------------|----------------|----------------|----------------|----------------|----------------|---------------|--------------|--------------|--------------|--------------|------------------|
| 7. Rajasthan | (i) Rajasthan (2) (mos.) | 1,284 (147) | 4.3 (32.5) | 8.4 (20.0) | 17.8 (21.5) | 25.2 (15.6) | 14.7 (5.3) | 9.0 (2.3) | 9.5 (1.8) | 6.4 (0.8) | 4.7 (0.2) | 100.0 (100.0) |
| | (ii) Ajmer area (mos.) | 542 (110) | 10.2 (51.9) | 13.8 (19.1) | 23.1 (16.1) | 26.2 (9.2) | 11.4 (2.3) | 5.4 (0.8) | 4.3 (0.4) | 2.4 (0.2) | 3.2 (n) | 100.0 (100.0) |
| 8. Uttar Pradesh (3) (mos.) | area (47) | 133 (68.6) | 22.0 (16.8) | 21.4 (9.7) | 24.1 (9.7) | 17.9 (3.8) | 6.0 (0.7) | 2.8 (0.2) | 2.3 (0.1) | 1.6 (0.1) | 1.9 (n) | 100.0 (100.0) |

*excludes Vindhya Pradesh area.

(1) area in terms of 'dry acres'. *Vide* foot note under 'area owned'.

(2) data relate to 22 selected tehsils only.

(3) data relate to 204 sample villages.

(n) means less than 500.

(b) States where the census was confined to holding of 10 acres and above

(in thousands)

| state/unit | total | grades of holdings (acres) | | | | | | |
|----------------------------------------------------|----------------|----------------------------|----------------|----------------|---------------|---------------|---------------|---------------|
| | | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | |
| 1. Mysore | area (nos.) | 13,859 (653) | 3,781 (373) | 3,266 (133) | 2,070 (61) | 1,493 (47) | 1,660 (22) | 1,589 (17) |
| 2. Orissa | area (nos.) | 1,669 (85) | 819 (60) | 356 (15) | 167 (5) | 172 (3) | 61 (1) | 94 (1) |
| 3. Punjab | area (nos.) | 8,642 (378) | 3,313 (233) | 1,831 (76) | 1,070 (32) | 1,076 (23) | 732 (10) | 620 (4) |
| 4. Delhi | area (nos.) | 87 (5) | 51 (4) | 19 (1) | 8 (n) | 4 (n) | 3 (n) | 2 (n) |
| 5. Himachal Pradesh | area (nos.) | 160 (9) | 97 (7) | 30 (1) | 10 (1) | 7 (n) | 6 (n) | 10 (n) |
| 6. Vindhya Pradesh State (Madhya Pradesh State) | area (nos.) | 3,284 (146) | 1,142 (81) | 771 (32) | 482 (14) | 536 (11) | 414 (6) | 439 (2) |

(n) means less than 500.

(iv) Distribution of area owned (standard acres)

(in thousands)

160

| state/unit | total | grades of Holdings (standard acres) | | | | | | | | |
|--------------------------|-------------|-------------------------------------|-------------|------------|------------|------------|-----------|----------|----------|--------------|
| | | Less than 2.5 | 2.5-5.0 | 5-10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 |
| | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 1. Andhra Pradesh | | | | | | | | | | |
| Andhra area | area (nos.) | 7685 (2645) | 1713 (1832) | 1437 (429) | 1603 (241) | 1364 (102) | 541 (23) | 288 (8) | 281 (6) | 206 (3) |
| 2. Gujarat | | | | | | | | | | |
| (i) Bombay area* | area (nos.) | 5359 (260) | | | | 1863 (147) | 1618 (75) | 663 (20) | 546 (12) | 314 (4) |
| (ii) Saurashtra | area (nos.) | 5379 (343) | 30 (19) | 122 (34) | 523 (72) | 1768 (121) | 1404 (59) | 741 (22) | 510 (12) | 205 (3) |
| (iii) Kutch | area (nos.) | 371 (78) | 47 (39) | 60 (17) | 91 (13) | 93 (7) | 34 (1) | 14 (n) | 12 (m) | 10 (n) |
| 3. Kerala | | | | | | | | | | |
| (i) Tr.-Cochin | area (nos.) | 1738 (2283) | 869 (2152) | 267 (83) | 213 (32) | 149 (11) | 57 (2) | 43 (1) | | 140 (2) |
| (ii) Malabar (t) | area (nos.) | 3251 (725) | 482 (480) | 373 (107) | 494 (70) | 622 (45) | 256 (11) | 164 (5) | 205 (4) | 159 (2) |

(iv) Distribution of area owned (standard acres)—contd.

(in thousands)

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|-------------------------|---|---|---|----------------|---------------|------------|-------------|---------------|--------------|-------------|-------------|
| 8. Orissa* | . | . | . | area (nos.) | 823 (42) | .. | .. | 427 (30) | 162 (7) | 75 (2) | 87 (2) |
| 9. Punjab * | . | . | . | area (nos.) | 5829 (275) | .. | .. | 2529 (186) | 1211 (50) | 646 (19) | 593 (12) |
| 10. Rajasthan— | . | . | . | area (nos.) | 1563 (163) | 58 (57) | 106 (29) | 231 (32) | 360 (26) | 222 (9) | 140 (4) |
| (i) Rajasthani area (²) | . | . | . | area (nos.) | 248 (111) | 64 (79) | 67 (18) | 37 (10) | 8 (3) | 3 (n) | 2 (1) |
| (ii) Ajmer area | . | . | . | area (nos.) | 136 (48) | 28 (34) | 25 (7) | 29 (4) | 24 (2) | 10 (1) | 5 (n) |
| 11. Uttar Pradesh (³) | . | . | . | area (nos.) | 52 (3) | .. | .. | .. | 32 (2) | 10 (1) | 4 (n) |
| 12. Delhi * | . | . | . | area (nos.) | 18 (1) | .. | .. | .. | 12 (1) | 2 (n) | 1 (n) |
| 13. Himachal Pradesh* | . | . | . | area (nos.) | .. | .. | .. | .. | .. | 1 (n) | 1 (n) |

* census was confined to 10 standard acres and above in these areas.

(n) means less than 500.

(¹) area in terms of 'standard dry acres'. Wet acres were converted into wet standard acres and then reduced to dry standard acres by equating one wet standard acre equal to three dry standard acres.

(²) data relate to 22 selected tehsils only.

(³) data relate to 204 sample villages.

(v) Distribution of owned area under personal cultivation (*Standard acres*)

(in thousands)

| state/unit | total | grades of holdings (standard-acres) | | | | | | | | | 163 |
|-----------------------------|-----------------|-------------------------------------|----------------|---------------|---------------|---------------|--------------|-------------|-------------|--------------|------------|
| | | less than 2.5 | 2.5-5.0 | 5-10 | 10-20 | 20-30 | 30-40 | 40-60 | 60-100 | above 100 | |
| | | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | |
| I | I | | | | | | | | | | |
| 1. Andhra Pradesh— | | | | | | | | | | | |
| Andhra Area | area (nos.)† | 6803 (2486) | 1600 (1735) | 1318 (403) | 1468 (223) | 1206 (91) | 462 (20) | 236 (9) | 216 (2) | 154 (2) | 143 (1) |
| 2. Gujarat— | | | | | | | | | | | |
| (i) Bombay area* | area (nos.)† | 4685 (234) | .. | .. | .. | 1702 (134) | 1487 (69) | 568 (17) | 477 (10) | 249 (3) | 202 (1) |
| (ii) Saurashtra | area (nos.)† | 5293 (337) | 27 (19) | 116 (33) | 509 (70) | 1744 (120) | 1390 (58) | 733 (22) | 504 (11) | 199 (3) | 71 (1) |
| (iii) Kutch | area (nos.)† | 285 (67) | 38 (34) | 50 (14) | 78 (12) | 81 (6) | 24 (1) | 8 (n) | 4 (n) | 1 (n) | 1 (n) |
| 3. Kerala— | | | | | | | | | | | |
| (i) Travancore-Cochin | area (nos.)† | 1567 (2228) | 1004 (2120) | 228 (75) | 149 (22) | 103 (8) | 33 (1) | 24 (1) | .. | 26 (1) | .. |
| (ii) Malabar ⁽¹⁾ | area (nos.)† | 3140 (718) | 477 (475) | 369 (107) | 488 (70) | 612 (44) | 249 (10) | 159 (5) | 193 (4) | 149 (2) | 444 (1) |

(v) Distribution of owned area under personal cultivation (Standard acres)—contd. (in thousands)

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|----------------------------------------|---|-----------------|-----------------|----------------|---------------|---------------|---------------|--------------|--------------|--------------|-------------|
| (i) Mahakoshal | . | area (nos.)† | 9408 (2940) | 1659 (1990) | 1594 (481) | 1954 (283) | 1734 (127) | 752 (31) | 407 (12) | 399 (8) | 364 (5) |
| (ii) Madhya Bharat | . | area (nos.)† | 12546 (1352) | 462 (414) | 948 (262) | 2096 (294) | 3167 (227) | 1917 (79) | 1163 (34) | 1229 (26) | 896 (12) |
| (iii) Bhopal | . | area (nos.)† | 1524 (116) | 22 (30) | 60 (16) | 180 (25) | 347 (24) | 238 (10) | 150 (4) | 174 (4) | 149 (2) |
| (iv) Vindhya Pradesh* | . | area (nos.)† | 1072 (55) | .. | .. | .. | 513 (39) | 220 (9) | 113 (4) | 99 (2) | 65 (1) |
| 5. Madras— Madras area ¹ | . | area (nos.)† | 20143 (3905) | 2311 (1964) | 3038 (861) | 4329 (626) | 4168 (307) | 1828 (77) | 996 (29) | 1052 (22) | 886 (12) |
| 6. Maharashtra— | | | | | | | | | | | 1535 (7) |
| (i) Former Bombay area* | . | area (nos.)† | 7407 (342) | .. | .. | .. | 3317 (238) | 1159 (44) | 933 (28) | 901 (20) | 612 (9) |
| (ii) Vidharbha | . | area (nos.)† | 6255 (1261) | 739 (696) | 881 (256) | 1189 (173) | 1188 (86) | 585 (24) | 357 (10) | 397 (8) | 383 (6) |
| 7. Mysore— | | | | | | | | | | | 536 (3) |
| (i) Mysore Area | . | area (nos.) | | | | | | | | | |
| (ii) Coorg* | . | area (nos.)† | 138 (3) | .. | .. | .. | 20 (2) | 10 (1) | 7 (n) | 9 (n) | 11 (n) |
| (iii) Bombay area* | . | area (nos.)† | 3161 (149) | .. | .. | .. | 1283 (95) | 672 (29) | 379 (12) | 380 (8) | 217 (3) |
| (iv) Madras area | . | area (nos.)† | 379 (80) | 40 (42) | 51 (14) | 92 (13) | 106 (8) | 43 (2) | 20 (1) | 14 (n) | 8 (n) |
| | | | | | | | | | | | 5 (n) |

No scheme of standard acre was adopted.

| | | | | | | | | | | | | |
|------------------------------------|------------------|-----------------|-----------------|---------------------------|------------|------------|-------------|---------------------------|-------------|-------------|------------|------------------------|
| 8. Orissa* | • | • | area (nos.)† | 78 ¹ (41) | • | • | • | 416 (30) | 160 (7) | 73 (2) | 35 (1) | 24 (n) |
| 9. Punjab* | • | • | area (nos.)† | 407 ² (209) | • | • | • | 200 ³ (148) | 866 (36) | 436 (13) | 368 (8) | 23 ¹ (3) |
| 10. Rajasthan— | | | | | | | | | | | | |
| (i) Rajasthan area | (²) | • | area (nos.)† | 127 ⁴ (147) | 55 (51) | 99 (27) | 212 (30) | 320 (23) | 193 (8) | 124 (4) | 130 (3) | 89 (1) |
| (ii) Ajmer | • | • | area (nos.)† | 245 (110) | 64 (79) | 62 (18) | 65 (10) | 37 (3) | 8 (n) | 3 (n) | 2 (n) | 2 (n) |
| 11. Uttar Pradesh (³) | • | • | area (nos.)† | 135 (47) | 28 (34) | 25 (7) | 29 (4) | 24 (2) | 10 (n) | 5 (n) | 5 (n) | 4 (n) |
| 12. Delhi* | • | • | area (nos.)† | 50 (3) | • | • | • | 3 ¹ (2) | 10 (1) | 4 (n) | 2 (n) | 1 (n) |
| 13. Himachal Pradesh* | • | area (nos.)† | 16 (1) | • | • | • | • | 11 (4) | 2 (n) | 1 (n) | 1 (n) | 1 (n) |

† “nos.” represent the number of land owners holding land under personal cultivation.

*census was confined to holdings of 10 standard acres and above.
(n) means less than 500.

(¹) area in terms of dry standard acres. *Vide* footnote under ‘area owned’ (standard acres).
(²) data relate to 22 selected tehsils only.
(³) data relate to 204 sample villages,

APPENDIX III-C

NATIONAL SAMPLE SURVEY (EIGHT ROUND)*—SELECTED STATES 1953-54

*(i) Distribution of ownership holdings
(percentages)*

| Size of household ownership holding (acres) | 1. Assam | | 2. Bihar | | 3. West-Bengal | |
|--------------------------------------------------------------------|-------------|--------|-------------|--------|----------------|--------|
| | house-holds | area | house-holds | area | house-holds | area |
| I | 2 | 3 | 4 | 5 | 6 | 7 |
| 0.00 (1) | . | 41.57 | .. | 16.56 | .. | 20.54 |
| 0.01—0.99 | . | 12.23 | 1.84 | 34.67 | 3.54 | 36.29 |
| 1.00—2.49 | . | 10.78 | 6.14 | 16.04 | 9.12 | 16.64 |
| 2.50—4.99 | . | 17.01 | 21.04 | 14.86 | 18.04 | 12.61 |
| 5.00—7.49 | . | 8.37 | 17.27 | 7.16 | 14.90 | 5.43 |
| 7.50—9.99 | . | 4.35 | 12.72 | 3.83 | 11.35 | 3.14 |
| 10.00—14.99 | . | 3.38 | 13.95 | 3.77 | 15.63 | 2.76 |
| 15.00—19.99 | . | 1.07 | 6.21 | 1.55 | 8.99 | 1.22 |
| 20.00—24.99 | . | 0.38 | 2.82 | 0.63 | 4.74 | 0.63 |
| 25.00—29.99 | . | 0.38 | 3.14 | 0.39 | 3.72 | 0.23 |
| 30.00—49.99 | . | 0.27 | 3.40 | 0.39 | 5.02 | 0.42 |
| 50.00 and above | . | 0.21 | 11.47 | 0.15 | 4.95 | 0.09 |
| TOTAL | . | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| Estimated number of households/area (ooo) | . | 1864 | 5535 | 7107 | 20881 | 4274 |
| | | | | | | 10231 |
| <i>(ii) Distribution of operational holdings (percentages)</i> | | | | | | |
| 0.00 (1) | . | 4.85 | .. | 3.99 | .. | 0.88 |
| 0.01—0.99 | . | 24.82 | 1.64 | 42.26 | 3.29 | 47.27 |
| 1.00—2.49 | . | 12.49 | 4.73 | 16.53 | 8.79 | 16.68 |
| 2.50—4.99 | . | 27.90 | 23.09 | 17.39 | 19.72 | 17.59 |
| 5.00—7.49 | . | 14.27 | 19.21 | 8.27 | 15.91 | 8.25 |
| 7.50—9.99 | . | 6.84 | 13.10 | 4.27 | 11.72 | 4.12 |
| 10.00—14.99 | . | 5.19 | 14.60 | 4.04 | 15.41 | 2.88 |
| 15.00—19.99 | . | 2.15 | 7.95 | 1.63 | 8.77 | 1.26 |
| 20.00—24.99 | . | 0.43 | 2.01 | 0.69 | 4.91 | 0.57 |
| 25.00—29.99 | . | 0.38 | 2.30 | 0.40 | 3.38 | 0.24 |
| 30.00—49.99 | . | 0.27 | 2.06 | 0.36 | 4.26 | 0.21 |
| 50.00 and above | . | 0.11 | 9.31 | 0.17 | 3.84 | 0.05 |
| TOTAL | . | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| Estimated number of households/area (ooo) | . | 1857 | 8402 | 6926 | 21922 | 4197 |
| | | | | | | 11518 |

*For concepts and definitions adopted in this survey, please see pages 106-110.

(1) Includes holdings of size less than 0.005 acres.

| Size of holding (acres) | 4. Orissa | | 5. Jammu & Kashmir | |
|-------------------------------------------------|----------------------------------------|------------|--------------------|-------------------------------------------|
| | distribution of own ership holdings | households | area | distribution of opera- tional holdings |
| 0·00 (1) | 17·31 | .. | 7·77 | .. |
| 0·01—0·99 | 17·69 | 2·53 | 15·13 | 1·46 |
| 1·00—2·49 | 25·20 | 13·86 | 26·68 | 13·18 |
| 2·50—4·99 | 21·54 | 25·78 | 26·48 | 27·34 |
| 5·00—7·49 | 9·04 | 18·39 | 12·81 | 22·78 |
| 7·50—9·99 | 3·65 | 10·10 | 5·67 | 14·03 |
| 10·00—14·99 | 3·27 | 12·69 | 3·78 | 12·09 |
| 15·00—19·99 | 1·15 | 6·54 | 1·05 | 4·86 |
| 20·00— and above | 1·15 | 10·11 | 0·63 | 4·26 |
| TOTAL . | 100·00 | 100·00 | 100·00 | 100·00 |
| Estimated number of households/ area (ooo) . | 5·20 | 1544 | 475 | 1649 |



APPENDIX IV

AGRICULTURAL LABOUR ENQUIRY

The data below were collected based on 812 sample villages. 'Holding' means aggregate area held by all members of a family. Family is a household with an independent common kitchen and living under the same roof. Cultivation holding includes land leased wholly or partly for agricultural production and intended to be cultivated alone or with the assistance of others without regard to ownership, size or location. The survey covers land held by families actually living in the selected villages. Families living outside the villages but owning land in the selected villages were excluded. The data relate to the year 1950-51.

Percentage distribution of cultivation holdings according to size groups

| Former State | Upto number | 1 acre area | 1·1—2·5 acres | 2·6—5·0 acres | 5·1—10·0 acres | | 10·1—25·0 acres | | above 25 acres | | | |
|----------------------------------|----------------|----------------|------------------|------------------|-------------------|-------------|--------------------|-------------|----------------|-------------|------|------|
| | | | | | area | num- ber | area | num- ber | area | num- ber | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 12 | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 13 | | |
| Assam | 6·4 | 0·5 | 17·9 | 6·7 | 37·6 | 17·9 | 26·4 | 37·7 | 11·2 | 33·9 | 0·5 | 3·3 |
| Bihar | 31·2 | 3·6 | 25·4 | 10·4 | 20·4 | 17·8 | 14·4 | 24·3 | 7·1 | 24·9 | 1·5 | 19·0 |
| Bombay (Gujarat and Maharashtra) | 8·7 | 0·3 | 13·5 | 1·6 | 13·7 | 3·6 | 21·1 | 11·2 | 28·0 | 32·7 | 15·0 | 50·6 |
| Kerala | 50·1 | 8·7 | 25·0 | 16·7 | 13·1 | 19·6 | 7·7 | 22·1 | 3·5 | 20·8 | 0·6 | 12·1 |
| Madhya Pradesh | 5·5 | 0·2 | 13·6 | 1·9 | 19·1 | 5·7 | 23·3 | 13·8 | 27·5 | 35·2 | 11·0 | 43·2 |
| Madras | 20·2 | 2·7 | 32·3 | 12·9 | 25·0 | 21·6 | 14·6 | 24·3 | 6·2 | 21·7 | 1·7 | 16·8 |

| | | | | | | | | | | | | | | |
|------------------|---|------|------|------|------|------|------|------|------|------|------|------|------|------|
| Mysore' | . | . | 15.6 | 1.0 | 20.1 | 4.1 | 22.0 | 10.1 | 20.1 | 17.7 | 16.1 | 31.1 | 6.1 | 36.0 |
| Orissa | . | . | 18.0 | 1.6 | 29.4 | 8.4 | 24.1 | 14.8 | 16.2 | 19.8 | 9.0 | 24.3 | 3.3 | 31.1 |
| Punjab | . | . | 3.8 | 0.1 | 6.9 | 0.9 | 11.6 | 3.3 | 24.9 | 14.2 | 42.6 | 51.5 | 10.2 | 30.0 |
| Rajasthan | . | . | 3.3 | 0.1 | 8.8 | 0.9 | 13.9 | 3.1 | 21.8 | 9.2 | 33.2 | 31.6 | 19.0 | 55.1 |
| Uttar Pradesh | . | . | 14.8 | 1.4 | 26.1 | 8.3 | 25.2 | 16.7 | 20.6 | 26.4 | 11.4 | 30.6 | 1.9 | 16.6 |
| West Bengal | . | . | 16.9 | 1.4 | 21.2 | 7.7 | 29.4 | 22.6 | 22.8 | 33.0 | 8.6 | 25.1 | 1.1 | 10.2 |
| Jammu & Kashmir | . | . | 13.7 | 1.9 | 30.3 | 13.4 | 30.8 | 29.7 | 20.3 | 36.5 | 4.6 | 16.4 | 0.3 | 2.1 |
| Delhi. | . | . | 4.1 | 0.1 | 27.3 | 4.4 | 14.1 | 5.5 | 21.4 | 16.9 | 27.4 | 49.4 | 5.7 | 23.7 |
| Himachal Pradesh | . | . | 11.4 | 1.6 | 36.2 | 15.9 | 28.0 | 27.3 | 19.1 | 35.0 | 5.1 | 19.1 | 0.2 | 1.1 |
| Manipur | . | . | 13.1 | 2.3 | 37.0 | 23.5 | 39.3 | 48.7 | 9.7 | 22.1 | 0.9 | 3.4 | .. | .. |
| Tripura | . | . | 12.8 | 0.4 | 37.6 | 17.2 | 38.3 | 34.5 | 16.6 | 29.6 | 4.7 | 18.3 | .. | .. |
| All India | . | 16.5 | 1.1 | 21.9 | 4.9 | 21.7 | 10.2 | 19.2 | 18.2 | 15.3 | 31.6 | 5.4 | 34.0 | |

APPENDIX V

NATIONAL SAMPLE SURVEY (EIGHTH ROUND)

The data set out in the following table are based on a sample survey conducted in the year 1954-55. The tabulations relate to the area owned or operated by rural households i.e., house holds resident in the rural areas of the country. In this survey a 'holding' means total land held by all the members of a family (household).

Land includes both agricultural and non-agricultural lands.

Ownership of land has been defined to include leased lands held under permanent and heritable rights with or without the right to transfer such title.

All land that is directed or managed by one or more persons alone or with the assistance of others without regard to title size or location has been termed as "operational holding".

(i) *Percentage of households owning land below specified size of household ownership holding and cumulative percentage of total area own ed by them*
(reference period : July 1953-54; major crop season)

| specified size of household ownership holding (acres) | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | North Western India | |
|----------------------------------------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|------------------------|----------------|
| | | | | | | | | | | | | | | | | house- hold | house- hold |
| 0.00 ⁽¹⁾ | 22.00 | .. | 7.99 | .. | 23.14 | .. | 28.13 | .. | 31.16 | .. | 22.45 | .. | 22.75 | .. | 22.75 | .. | 22.75 |
| 0.05 | 31.78 | 0.04 | 22.85 | 0.09 | 28.98 | 0.04 | 39.11 | 0.05 | 36.02 | 0.01 | 33.71 | 0.02 | 34.10 | 0.03 | 34.10 | 0.03 | 34.10 |
| 0.10 | 34.52 | 0.08 | 26.38 | 0.16 | 32.64 | 0.13 | 41.57 | 0.10 | 37.22 | 0.02 | 35.28 | 0.03 | 36.52 | 0.05 | 36.52 | 0.05 | 36.52 |
| 0.20 | 40.64 | 0.44 | 33.33 | 0.73 | 41.49 | 0.92 | 47.93 | 0.67 | 39.89 | 0.13 | 38.10 | 0.10 | 40.98 | 0.22 | 40.98 | 0.22 | 40.98 |
| 0.30 | 46.89 | 1.38 | 41.46 | 2.41 | 49.54 | 2.92 | 55.56 | 2.17 | 43.59 | 0.49 | 40.38 | 0.28 | 44.98 | 0.55 | 44.98 | 0.55 | 44.98 |
| 0.50 | 52.18 | 2.75 | 47.87 | 4.68 | 56.33 | 5.73 | 61.33 | 4.16 | 47.00 | 1.07 | 42.96 | 0.67 | 47.92 | 1.21 | 47.92 | 1.21 | 47.92 |
| 1.00 | 60.76 | 6.31 | 60.16 | 11.42 | 66.12 | 12.25 | 69.92 | 9.09 | 52.99 | 2.74 | 48.35 | 1.94 | 53.30 | 2.72 | 53.30 | 2.72 | 53.30 |
| 2.00 | 74.42 | 16.77 | 78.39 | 29.94 | 81.47 | 31.03 | 81.16 | 20.78 | 64.40 | 8.68 | 59.69 | 6.91 | 64.43 | 8.46 | 64.43 | 8.46 | 64.43 |
| 7.50 | 82.58 | 27.36 | 87.36 | 45.50 | 88.81 | 46.27 | 88.28 | 33.39 | 72.85 | 15.93 | 68.11 | 13.19 | 75.08 | 17.58 | 75.08 | 17.58 | 75.08 |

| | estimated number of households (000) | area owned |
|-----------------------------------------------|-----------------------------------------------|------------|-----------------------------------------------|------------|-----------------------------------------------|------------|-----------------------------------------------|------------|-----------------------------------------------|------------|-----------------------------------------------|------------|
| 10·00 | 87·29 | 35·99 | 91·48 | 55·53 | 93·70 | 60·52 | 92·02 | 42·95 | 78·10 | 22·35 | 74·46 | 19·38 |
| 15·00 | 92·41 | 49·66 | 95·88 | 70·85 | 96·78 | 73·48 | 95·48 | 55·15 | 83·80 | 33·74 | 86·97 | 35·43 |
| 20·00 | 95·07 | 58·94 | 98·08 | 81·71 | 98·34 | 82·68 | 97·33 | 64·38 | 89·45 | 44·36 | 88·24 | 45·46 |
| 25·00 | 96·50 | 65·73 | 98·65 | 85·35 | 99·06 | 88·08 | 98·17 | 69·80 | 92·80 | 54·82 | 91·35 | 51·70 |
| 30·00 | 97·57 | 71·95 | 99·10 | 88·86 | 99·50 | 92·17 | 98·64 | 73·65 | 94·72 | 62·08 | 93·97 | 59·98 |
| 40·00 | 98·64 | 79·72 | 99·82 | 96·05 | 99·80 | 95·74 | 99·17 | 78·85 | 97·34 | 74·41 | 96·27 | 68·58 |
| 50·00 | 99·14 | 84·40 | 99·87 | 96·69 | 99·90 | 97·27 | 99·40 | 81·93 | 98·62 | 82·27 | 97·71 | 74·10 |
| 75·00 | 99·69 | 91·27 | 99·92 | 97·48 | 99·95 | 98·24 | 99·77 | 88·37 | 99·58 | 90·29 | 99·46 | 83·20 |
| 100·00 | 99·81 | 93·34 | 99·95 | 98·41 | 99·97 | 98·65 | 99·82 | 89·66 | 99·77 | 92·40 | 99·60 | 90·06 |
| 250·00 | 99·97 | 98·13 | 100·00 | 100·00 | 100·00 | 99·97 | 96·86 | 99·94 | 95·74 | 99·95 | 97·50 | 98·80 |
| 500·00 | 99·99 | 99·32 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 99·97 | 97·12 | 99·98 | 98·88 | 100·00 |
| above | | | | | | | | | | | | |
| 500·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 |
| | | | | | | | | | | | | |
| estimated number of households (000) | 65659 | 11888 | 18295 | 13512 | 5844 | 9836 | 6284 | | | | | |
| 309850 | 41919 | 54081 | 46165 | 41988 | 80663 | 45034 | | | | | | |

(1) households owning no land or land less than 0.005 acre are shown against this size level.

(ii) Percentage distribution of estimated number of households and of area operated by size-level of household operational holdings
 (reference period : July 1953-54; major crop season)

| area of house-hold operational holdings (acres) | All India | | North India | | East India | | South India | | West India | | Central India | | North West India | | |
|-------------------------------------------------|-------------|-------|-------------|-------|-------------|-------|-------------|-------|-------------|-------|---------------|-------|------------------|-------|-------|
| | | | | | | | | | | | | | | | |
| | house- hold | area | house- hold | area | house- hold | area | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | |
| 0·00(1) | . | 6·34 | .. | 0·89 | .. | 1·66 | .. | 10·38 | .. | 18·62 | .. | 9·59 | .. | 5·08 | .. |
| 0·01—0·04 | . | 17·25 | 0·06 | 16·28 | 0·08 | 14·90 | 0·09 | 23·54 | 0·11 | 10·59 | 0·02 | 20·81 | 0·03 | 15·52 | 0·03 |
| 0·05—0·09 | . | 3·42 | 0·04 | 2·81 | 0·05 | 5·76 | 0·11 | 2·52 | 0·05 | 2·00 | 0·01 | 2·33 | 0·02 | 2·75 | 0·01 |
| 0·10—0·49 | . | 7·23 | 0·34 | 7·21 | 0·54 | 11·61 | 0·80 | 7·43 | 0·55 | 2·22 | 0·08 | 4·19 | 0·11 | 3·52 | 0·09 |
| 0·50—0·99 | . | 5·99 | 0·81 | 8·19 | 1·60 | 7·80 | 1·60 | 6·63 | 1·35 | 3·18 | 0·29 | 2·76 | 0·22 | 2·88 | 0·23 |
| 1·00—1·49 | . | 5·26 | 1·21 | 6·80 | 2·18 | 6·62 | 2·33 | 6·34 | 2·17 | 2·40 | 0·37 | 2·34 | 0·34 | 3·34 | 0·43 |
| 1·50—2·49 | . | 9·31 | 3·47 | 13·08 | 6·94 | 10·70 | 6·14 | 9·30 | 5·21 | 6·43 | 1·54 | 5·17 | 1·19 | 7·22 | 1·48 |
| 2·50—4·99 | . | 15·91 | 10·86 | 20·44 | 19·62 | 19·90 | 20·70 | 12·22 | 12·45 | 12·99 | 5·78 | 10·00 | 4·18 | 15·56 | 6·08 |
| 5·00—7·49 | . | 9·24 | 10·52 | 11·03 | 17·93 | 9·44 | 16·00 | 8·22 | 13·81 | 9·62 | 7·25 | 7·25 | 5·29 | 10·25 | 6·61 |
| 7·50—9·99 | . | 5·63 | 9·11 | 4·99 | 11·55 | 5·04 | 12·33 | 4·91 | 12·19 | 6·04 | 6·39 | 7·24 | 7·12 | 7·21 | 6·43 |
| 10·00—14·99 | . | 5·53 | 12·58 | 4·26 | 13·80 | 3·80 | 13·09 | 3·79 | 13·24 | 7·89 | 11·48 | 9·52 | 13·39 | 8·27 | 10·37 |
| 15·00—19·99 | . | 3·31 | 10·71 | 1·97 | 9·16 | 2·07 | 10·12 | 2·06 | 10·22 | 5·54 | 11·47 | 6·02 | 11·98 | 5·84 | 10·49 |
| 20·00—24·99 | . | 1·67 | 7·01 | 0·84 | 5·02 | 0·81 | 5·16 | 0·83 | 5·49 | 3·60 | 9·94 | 3·27 | 8·38 | 3·21 | 7·38 |
| 25·00—29·99 | . | 1·19 | 6·09 | 0·59 | 4·25 | 0·37 | 2·89 | 0·62 | 4·83 | 2·33 | 7·67 | 2·83 | 8·84 | 2·37 | 6·74 |
| 30·00—39·99 | . | 1·22 | 7·86 | 0·45 | 4·18 | 0·15 | 1·55 | 0·53 | 5·13 | 3·22 | 13·36 | 2·93 | 11·60 | 2·74 | 9·76 |
| 40·00—49·00 | . | 0·59 | 4·90 | 0·05 | 0·61 | 0·11 | 1·34 | 0·24 | 3·00 | 1·39 | 7·41 | 1·72 | 8·73 | 1·30 | 5·96 |
| 50·00—74·99 | . | 0·58 | 6·36 | 0·07 | 1·19 | 0·12 | 1·99 | 0·28 | 4·68 | 1·30 | 9·40 | 1·45 | 9·49 | 1·46 | 9·26 |

| | | | | | | | | | | | | | | | |
|------------------------------------------|----------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--|
| 75·00—99·99 | · 0·15 | 2·45 | 0·03 | 0·83 | 0·02 | 0·45 | 0·07 | 1·81 | 0·34 | 3·48 | 0·22 | 2·19 | 0·67 | 5·83 | |
| 100·00—249·99 | · 0·16 | 4·02 | 0·02 | 0·47 | 0·01 | 0·30 | 0·07 | 2·62 | 0·24 | 4·06 | 0·31 | 4·56 | 0·74 | 10·90 | |
| 250·00—499·99 | · 0·01 | 0·79 | .. | .. | .. | .. | 0·02 | 1·09 | .. | .. | 0·03 | 1·28 | 0·07 | 1·92 | |
| 500·00 and above | 0·01 | 0·81 | .. | .. | 0·01 | 3·01 | .. | .. | .. | .. | 0·02 | 1·06 | .. | .. | |
| TOTAL | · 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | 100·00 | |
| estimated number of households (000) | 65659 | 11338 | 18295 | 13512 | 5844 | 9836 | 6284 | | | | | | | | |
| estimated area op- erated (000 acres) | 350672 | 44658 | 64490 | 47247 | 48347 | 85320 | 60610 | | | | | | | | |

(1) Households possessing less than 0·005 acres are shown in this size level.

(iii) *Distribution of area leased in and area leased out by rural household (percentages)*

| zone | area leased out (as % of area owned) | area leased in (as % of operated area) |
|----------------------------|-----------------------------------------|-------------------------------------------|
| North India | 8·71 | 11·38 |
| East India | 11·22 | 20·11 |
| South India | 18·81 | 21·89 |
| West India | 15·36 | 22·38 |
| Central India | 14·04 | 18·66 |
| North-West India | 13·47 | 26·47 |
| All India | 13·63 | 20·17 |

NOTE: The leased area in the above table does not include such leased area in which permanent rights have already accrued to the tenants. The latter area is deemed to be held under ownership rights.



(iv) Distribution of area leased in

(reference period—July 1953–June 1954; major crop season)

(percentage of op rated area)

(v) area leased out (as percentage of owned area)

| size of holdings (acres) | North India | East India | South India | West India | Central India | North-west India | All India | | | |
|--------------------------|-------------|------------|-------------|------------|---------------|------------------|-----------|-------|-------|-------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | | | |
| 0·01—0·99 | . | . | . | . | 59·14 | 79·51 | 85·61 | 95·46 | 88·16 | 78·04 |
| 1·00—2·49 | . | . | . | . | 9·49 | 9·57 | 9·48 | 24·89 | 13·72 | 13·25 |
| 2·50—4·99 | . | . | . | . | 6·67 | 9·21 | 8·87 | 7·94 | 23·06 | 8·55 |
| 5·00—7·49 | . | . | . | . | 2·70 | 8·12 | 4·58 | 6·96 | 6·72 | 5·96 |
| 7·50—9·99 | . | . | . | . | 3·52 | 2·18 | 7·42 | 8·99 | 7·44 | 6·38 |
| 10·00—14·99 | . | . | . | . | 4·24 | 5·73 | 4·52 | 8·34 | 2·99 | 8·53 |
| 15·00—19·99 | . | . | . | . | 1·62 | 7·13 | 20·67 | 5·89 | 3·06 | 5·64 |
| 20·00—24·99 | . | . | . | . | 11·61 | 7·73 | 11·21 | 4·49 | 5·03 | 7·40 |
| 25·00—29·99 | . | . | . | . | 12·36 | 5·26 | 7·30 | 5·46 | 7·05 | 8·22 |
| 30·00—49·99 | . | . | . | . | 0·51 | 4·66 | 12·73 | 12·00 | 7·43 | 6·65 |
| 50·00 & above | . | . | . | . | 14·91 | 6·32 | 23·09 | 7·70 | 5·92 | 8·23 |
| Total | . | 8·71 | 11·22 | 18·81 | 15·36 | 14·04 | 13·47 | 13·63 | | |

PART III
AGENCY FOR LAND REFORM



AGENCY FOR LAND REFORM

1. For the administration of land reform programmes the two essential requirements are (i) an up-to-date record of rights, and (ii) a well-trained and informed agency.

2. It is the general practice that the records of rights for any area are prepared or revised periodically as part of the cadastral survey (or resurvey and settlement operations). The large bulk of the occupied area throughout India has been cadastrally surveyed. This has been done in permanently settled zamindari areas, temporarily settled zamindari areas and ryotwari areas. The extent of lands which were never surveyed is comparatively small. The unsurveyed areas obtained mainly in the permanently settled areas of Assam, the princely states merged in Gujarat and Maharashtra, Orissa, Rajasthan, the hill districts of Uttar Pradesh, Manipur and Tripura. In the temporarily settled zamindari areas and the ryotwari areas, the record of rights has been revised periodically as part of the revisional survey operations. Besides, in these areas a land record agency obtained at the village level which maintained the records up-to-date by incorporating changes or mutations. The village agency obtained in the permanently settled areas of Andhra Pradesh, Madras and Southern Orissa also and it was, therefore, possible to keep the record up-to-date in these areas. In the permanently settled areas of Bihar, West Bengal and North Orissa, however, there was hardly any agency below the district level which could carry out mutations and changes in the record of rights from time to time, with the result that the record of rights even in the surveyed areas of these States are out of date.

3. A great deal has been done in recent years to survey and re-survey areas and prepare up-to-date record of rights. In Assam and Rajasthan, the bulk of the unsurveyed area has been surveyed. *Ad hoc* surveys were done in the former princely States comprised in Gujarat and Maharashtra. Some progress has been made in Orissa also and the work has been taken up in the Kutch (Gujarat), hill districts of Uttar Pradesh, Manipur and Tripura. As regards re-survey, in Assam 4 out of 7 districts in the plains have been re-surveyed and the work is now in progress in the remaining 3 districts. In Andhra Pradesh, Madras and West Bengal, re-survey has been done over the bulk of the former zamindari areas. Considerable progress has been made in Bihar also and pending a complete re-survey, the records of rights prepared at previous surveys have been re-constructed by local enquiries through the newly constituted revenue agencies.

4. The information available in the record of rights is not of a uniform pattern. In every state the record of rights contains information in respect of each plot or survey number regarding its area, the name of the owner, the class of land and the land revenue payable therefor etc. In the zamindari areas, information was also available about lands in the possession of tenants of zamindars. The information about land sub-leased by the tenants in zamindari areas and by owners in the ryotwari areas was not recorded in some States, particularly, Andhra Pradesh, Assam, Bihar, Kerala, Madras, Mysore and parts of Orissa. Consequently in the annual records, there are gaps in the information in this respect.

In Assam, steps have been taken to record the names of the tenants and share-croppers in the three districts where the re-survey work is in progress. In Madras orders have issued to record the names of tenants. In Bihar also an attempt was made to record the names of tenants and share-croppers (under-raiayats) in the process of reconstructing the records or rights, but the entries are reported to be incomplete.

5. Thus, considerable area still remains to be resurveyed in the States of Bihar, Kerala and Orissa. In Andhra Pradesh, Assam, Madras and Mysore, a great deal has yet to be done to prepare the record of tenants, sub-tenants and share-croppers. Besides, in several States there were complaints that the records were not maintained correctly and that in particular entries relating to tenants and share-croppers were frequently inaccurate. In Uttar Pradesh quite a few million entries were corrected during a special drive organised by the State Government in connection with the implementation of the Zamindari Abolition and Land Reforms Act.

6. The land reform programmes are implemented mostly through the agency of the land and revenue administration. In several States particularly Bihar, Orissa and West Bengal and over large areas of Rajasthan, there was hardly any revenue agency below the district or sub-divisional level. In some other States, such as Assam and parts of Madhya Pradesh, the staff at the village level has been inadequate to discharge the multifarious duties entrusted to it. Although steps have been taken, notably in Bihar, Orissa and West Bengal to build up agency in the field, much still remains to be done.

7. The Panel on Land Reform has laid particular stress on the preparation and maintenance of up-to-date records of rights, and on the need to strengthen revenue administration with a view to effective implementation of land reform programmes. In some States, provisions have been made in the Third Plan for cadastral surveys and preparation and correction of records of rights. Provisions made for these purposes are being augmented as the work proceeds.

(i) The Assam Government is spending about Rs. 36 lakhs annually on cadastral surveys and the preparation of records of rights. A scheme at a cost of Rs. 11 lakhs has been worked out for recording the names of tenants, sub-tenants and share-croppers in the four districts where the survey or re-survey operations have already been completed.

(ii) In Bihar, a scheme of cadastral survey at a cost of Rs. 4.6 crores during the Third Plan is in operation. Rs. 80 lakhs have been provided in the Annual Plan for 1962-63.

(iii) In Gujarat, a provision of Rs. 61.09 lakhs has been made for cadastral survey of Kutch and other un-surveyed areas in the Third Five Year Plan. An outlay of Rs. 17.4 lakhs was provided for 1961-62 and of Rs. 11.94 lakhs has been approved for the year 1962-63.

(iv) In Kerala, a scheme of cadastral survey and preparation of records of rights has been prepared with a view to facilitating the implementation of the Kerala Agrarian Reforms Act. It is estimated to cost Rs. 176 lakhs. An outlay of Rs. 10 lakhs was sanctioned for 1961-62 and of Rs. 20 lakhs has been approved for the year 1962-63.

(v) In Madhya Pradesh a scheme for cadastral survey of forests and backward areas is in progress. During the Third Plan about 1,500 villages are to be surveyed for which Rs. 15 lakhs have been provided. The anticipated expenditure for 1961-62 is Rs. 1.53 lakhs. For 1962-63, a provision of Rs. 1 lakh has been approved.

(vi) In Madras, a provision of Rs. 1 lakh has been made in the annual plan for 1961-62 for strengthening the supervisory staff for the preparation of record of tenants and share-croppers.

(vii) In Maharashtra, three schemes relating to (i) revisional survey of villages in Marathwada, (ii) cadastral survey of unsurveyed villages in Vidarbha, (iii) Pot-Hissa measurement in unsurveyed villages of Western Maharashtra were undertaken. These Schemes have spilled over to the Third Plan and included in the non-plan schemes. An expenditure of Rs. 9.98 lakhs is anticipated during 1961-62 and Rs. 10.18 lakhs have been provided for 1962-63.

(viii) In Mysore, in the Third Plan, an outlay of Rs. 8 lakhs have been provided for the cadastral survey of *inam* villages. An expenditure of Rs. 3.79 lakhs is anticipated during 1961-62 and an outlay of Rs. 4.40 lakhs has been approved for 1962-63. Besides an outlay of another Rs. 6.70 lakhs has been approved for 1962-63 for bringing up-to-date the records of rights in the former Mysore area and South Kanara and Coorg.

(ix) In Orissa, a provision of Rs. 1 crore has been made in the Third Plan for cadastral survey. This is in addition to the provision of Rs. 1.75 crores in the non-plan schemes for the same period. Besides an outlay of Rs. 59 lakhs has been provided in the Third Plan for strengthening the administration at various levels for the implementation of land reform programmes.

(x) In Uttar Pradesh, Rs. 30 lakhs were provided in the Plan for the cadastral survey of the hill districts.

(xi) In Himachal Pradesh, Rs. 3 lakhs have been provided for 1962-63 for strengthening the agency for the implementation of the Land Reforms Act.

(xii) In Manipur and Tripura also there are provisions in the non-plan schemes for completing cadastral survey during the Third Plan period.

8. The nature and composition of revenue agency has a considerable bearing on the effective enforcement of the land reform measures. In some States, such as Andhra Pradesh, Madras, Maharashtra, Mysore and parts of Orissa, the revenue agency was of a hereditary nature, remunerated either on a stipendary basis or by payment of a commission as a percentage of the revenue collection. Sometimes land grants were also made as part of remuneration. In Maharashtra (except Marathwada) the hereditary land record agency has been replaced by a regular stipendary agency. In Mysore, legislation has been enacted for the abolition of hereditary agency. In Orissa also, steps have been initiated in this direction. The Madras Government considered the question but shelved it for the time being. The Andhra Pradesh Government has, however, yet to take up this matter.

9. The revenue administration which is the principal agency of the district administration in the field is generally responsible for the collection of land revenue, the maintenance of land record and all miscellaneous tasks connected with the district administration. Although in some States there is a separate agency for the collection of land revenue, yet the land record agency has to assist it in the collection of land revenue. The collection of land revenue and other miscellaneous tasks take so much time of the field staff that they are not able to give adequate attention to the maintenance of land records and the administration of land reform programmes. In the Plan it was suggested that the panchayats should be entrusted with the collection of land revenue and the management of lands belonging to Government. With a view to ensuring correctness of records, it was also suggested that they should be associated with the maintenance of land records. Two suggestions were made in this connection, namely,

- (i) at the time of field inspections by the revenue officers, some members of the village panchayats should be associated ; and
- (ii) copies of records should be made available for inspection in the panchayat offices and copies of changes proposed should be supplied to the parties concerned.

10. In the following States provision has been made in the legislation to enable the panchayats to enter into contracts with Government for the collection of land revenue or other taxes :—

Assam,
Bihar,
Gujarat,
Jammu & Kashmir,
Madhya Pradesh,
Maharashtra,
Orissa,
Punjab,
Rajasthan, and
Uttar Pradesh.



Though in other States there is no specific provision in the legislation in this connection, it appears that it should be possible by administrative orders to utilize the panchayats for the collection of land revenue.

11. It has been reported that about 900 panchayats in Bihar and about 282 panchayats in Uttar Pradesh are collecting land revenue for the Government. The Bihar Government have reported that they propose to utilize these panchayats increasingly for the collection of land revenue. On the other hand in Uttar Pradesh the results have not been encouraging.

12. Association of panchayats with the maintenance and correction of land records is reported from 4 States, namely,

Bihar,
Gujarat,
Maharashtra, and
Uttar Pradesh.

In Bihar, the panchayats were associated in the special operation which was conducted for the correction of the records of rights. In Gujarat, Maharashtra and Uttar Pradesh the changes in possession are reported by the revenue agency to the village panchayats in addition to the parties concerned.

13. In some States, panchayats have been associated with the management of Government funds and properties.

Bihar

A provision has been made in the Land Reforms Act of 1950 that the State Government may entrust the management of the estates and tenures vesting in the Government, including trees, forests, fisheries, huts, and bazars to the executive committee of gram panchayats on such terms and conditions as the Government may fix by general or special order.

Gujarat

A provision has been made in the Bombay Village Panchayats Act, 1958 that the Government may vest waste lands, vacant or grazing lands, open sites, public roads and trees, bridges, wells, etc., belonging to Government in the panchayats on such terms and conditions as the Government may think fit.

Madhya Pradesh

सत्यमेव जयते

A provision has been made in the Madhya Pradesh Land Revenue Code, 1959 that the Government may vest the management of properties and lands belonging to Government in a gram panchayat.

Maharashtra

As in Gujarat.

Punjab

All village *shamlat* lands i.e., lands belonging to the proprietary body as a whole, whether cultivated or uncultivated, have been vested in the village panchayat throughout the State under the Village Common Lands Act.

Rajasthan

In the Rajasthan Panchayat Act all public property situated within the jurisdiction of a panchayat vests in the panchayat subject to any special reservations made by the State Government.

Uttar Pradesh

The Zamindari Abolition and Land Reforms Act provides for the setting up of a Gaon Samaj in every village and for the vesting in the Gaon Samaj all lands whether cultivable or otherwise, all forests within the village boundaries, trees, fisheries, hats, bazars, tanks, etc. belonging to Government. There is a provision for the setting up of the land management committees for the management of these lands.

Delhi

Under the Delhi Land Reforms Act, all waste lands in a village have been vested in the village panchayats.

14. Brief notes on (1) the progress made in cadastral survey, (2) revenue agency and the steps taken to strengthen it, and (3) the nature of information available in the land records maintained in the States are set out in the paragraphs that follow.

Andhra Pradesh

Survey & settlement

The State of Andhra Pradesh comprises 1,05,740 sq. miles. The ryotwari area of the former Andhra State had generally been surveyed and settled. The zamindari areas were not surveyed. About 10,900 sq. miles of the unsurveyed zamindari areas had been taken up for survey on abolition of estates under the Act of 1948. The survey field work was scheduled to be completed by the end of 1958-59 and the settlement operations by the end of 1961.

In Telangana the entire area has been surveyed.

Thus, 91,525 square miles have been surveyed in the State of Andhra Pradesh.

Out of the unsurveyed area of 14,215 sq. miles, 13,945 sq. miles are comprised in the Agency Tracts which are mostly covered by hills and forests and hardly one-fourth is under settled cultivation, requiring detailed cadastral survey and settlement. As regards the balance of 270 sq. miles in the plains, cadastral survey operations are in progress and are expected to be completed by the end of 1960.

The term of settlement in Andhra is 30 years. But in several taluks, the survey and settlement is quite old.

The last settlements were done between the period 1882-1929. The Government do not propose to settle these areas as changes in ownership have been given effect to in the settlement records which have been kept up-to-date.

In the Telengana area, the period of settlement is generally 30 years but in some cases it is 15 or 20 years. Re-settlements are overdue in several cases. As the cadastral survey in the Telengana area is considered defective, the Andhra Pradesh Government has undertaken a survey of the tract on the D. & O. system. It is expected to be completed in 10 years. The settlement rates will be revised according to the law for standardisation of assessment enacted in 1954.

Revenue agency

Andhra Area : On an average, each district comprises 10 taluks and each taluk consists of 100 to 200 villages. For every village there is usually one karnam (village accountant). His office is hereditary. There are in all 9,236 karnams.

The supervisory staff consists of revenue inspectors, tehsildars or deputy tehsildars. The revenue inspector is in charge of a firka consisting of about 20 villages. The tehsildar is in charge of a whole taluk and works under the control of the revenue divisional officer whose jurisdiction extends to 2 to 3 taluks. There are 2 to 3 revenue divisional officers in a district who work under the guidance of the collector.

For the maintenance of survey, there are taluk surveyors and district surveyors. The taluk surveyors work under the control of the tehsildar.

The primary responsibility for the collection of land revenue is that of the village headman. He is the representative of Government in the village, magistrate and the head of the village police. He is usually also village munsif with certain powers of civil and criminal jurisdiction. The village karnam maintains land records and land revenue accounts and is also expected to assist the village headman in every way.

Telengana Area : For each village there is a patwari (village accountant) whose office is hereditary. There is a revenue inspector for every 33 villages, a naib-tehsildar for about 70 villages, a tehsildar for about 140 villages and deputy collector for about 500 villages. A district usually consists of 1,300 villages and the collector incharge of the district is assisted by two or three deputy collectors.

सत्यमेव जयते

Land records

Andhra Area : The land records, are maintained in all the ryotwari taluks covering 33,881 sq. miles. There is a settlement register which shows the survey number, tenure, the name of the registered holder, the class of land, taram, assessment, irrigation source, whether single or double crop etc. for each field. Alterations of a permanent nature are effected in the register from time to time. Besides, there are (i) register of cultivation (indicating particulars about the crops grown and the area under each crop), (ii) adangal (showing particulars of occupation and cultivation field by field) and (iii) mutation register. The karnam is not authorised to make any corrections in the registers. It is the taluk surveyor who effects necessary changes in the registers under the orders of the taluk tehsildar. The changes in the classification of land are made under the orders of the revenue divisional officer or the collector.

The village registers do not show the name of the tenant or sub-tenant and the rent paid by him.

Telengana Area : The land records are maintained annually throughout the area. Before 1953, the record of rights did not form the basis of annual revenue accounts. The land census operations led to the re-orientation of the record of rights. It was decided to combine the revision of the records of rights with that of the Land census and integrate the record of rights with the annual revenue accounts. For this triple purpose a common form known as *khasra pahani* was evolved. The village forms which were 39 before, have now been reduced to 23. The names of actual occupants of land were shown in the record in place of the nominal pattadars.

The names of tenants and rents payable by them are shown in the record of rights.

Special staff for land reforms : Special staff has been appointed in the Board of Revenue in connection with land reforms consisting of one special officer, land reform and one assistant, secretary. For the implementation of the Andhra Inam Abolition (Conversion into ryotwari) Act, 1955 deputy tehsildars together with necessary clerks and peons were also appointed. In the Telangana area, a special temporary establishment was created by the former Hyderabad Government, for the implementation of land reforms. The programmes were directed from the Board of Revenue. Deputy collectors were appointed in the districts to assist the collectors. Similarly a special officer in tehsildar's cadre was appointed as additional deputy collector for assisting each deputy collector. Naib tehsildars were appointed at the rate of one each for revenue circle.

Assam

Survey and settlements

Assam consists of 12 districts of which 5 constitute autonomous hill districts. The Hill districts are not cadastrally surveyed, except a small area in the Garo hills. As regards the 7 plain districts, one district Goalpara and a sub-division of the district (Karimganj) were permanently settled and were not surveyed cadastrally. Cadastral survey operations are in progress in district Goalpara and will be completed by 1962. In the Karimganj sub-division, the cadastral survey is also in progress.

Out of 6 districts in the plains which were temporarily settled, one district was surveyed and settled in 1954. The other five were settled between 1927 to 1933. The resettlements are generally effected after 30 years. Due to considerable extension of cultivation and the large scale changes which had taken place in the soil classification as a result of floods, erosion and earthquake, the Assam Government decided to undertake resurvey and resettlement operations. Resurvey operations have been completed in two of them and are in progress in the remaining three districts.

Revenue agency

In the hill districts, administration of land vests in the District Councils. No land revenue is charged in the hill districts but some kind of house-tax or hoe-tax is levied. In the plains, the revenue

agency consists of sub-divisional officers, sub-deputy collectors, supervisor kanungo and the *mandals* (village accountants). The average number of villages in the charge of a *mandal* is about 12 comprising about 3,500 to 9,500 fields. The average charge of a supervisor kanungo is about 160 villages and that of a sub-deputy collector about 320 villages.

The land revenue is collected through mauzadars. Every sub-division is divided into a number of mauzas, each mauza containing a number of villages. The revenue demand of a mauza varies according to the size of the mauza between Rs. 25,000 to Rs. 1 lakh. A mauzadar is a semi-Government official and is paid commission on the collected land revenue at 10% on the first Rs. 20,000 and 5% on the rest. The work of the mauzadar is supervised by the sub-deputy collector and the deputy commissioner.

There are a few tehsils where revenue is collected by government officials sub-divisional officer known as tehsildars. In the ex-permanently settled estate area, revenue is collected by managers appointed for the purpose. In the Karimganj area where intermediaries have not been abolished, the proprietors pay revenue direct at the tehsil.

Land records

Annual land records are maintained by mandals in respect of temporarily settled areas. In the permanently settled areas land records are under preparation as part of settlement operations. The principal records are (i) the Chitha (showing fieldwise the name of the owner, and the crops grown), (ii) the Jamabandi (the record of holdings showing the name of each holder and his revenue liability) and (iii) the village map showing field numbers. The changes with regard to rights, interests and cultivation are made periodically in the records. Changes in the old fields and the extension of cultivation are also indicated in the village maps.

The name of the actual cultivator (tenant, sub-tenant or crop-sharer) was not entered in the records. At the suggestion of the Planning Commission, instructions have been issued recently for recording the names of tenants, sub-tenants and crop-sharers (adhiars) in the three districts where resettlement operations are in progress. Rs. 34.3 lakhs were spent during 1961-62 and Rs. 34.6 lakhs have been provided for 1962-63 in the non-plan schemes for completing the survey in the 3 districts. A scheme at a cost of Rs. 12 lakhs has been worked out for recording names of tenants, sub-tenants and share-croppers in the four districts where the survey or re-survey operations had been completed earlier.

The Mandal can make changes in respect of possession of lands. He also makes entries about crops. All other entries are to be passed by the sub-deputy collectors either by summary enquiry in the field or on regular applications.

Bihar

Survey & settlement

Of the total area of 66,400 sq. miles, 63,782 sq. miles have been cadastrally surveyed. The unsurveyed area of 2,618 sq. miles is comprised of forests, hills and Diara (riverine) tracts. Survey and settlement were carried out in most cases before 1920 and in some cases

even before 1910. Revisional survey and settlement operations have been taken up in 6 districts out of 17. They are nearing completion in one district. During the next 5 years, it is proposed to complete the operations in the above districts and also in another district. A scheme of cadastral survey and settlement has been prepared at a cost of Rs. 4.6 crores for the Third Plan. Rs. 80 lakhs have been provided under the Annual plan of 1962-63.

Revenue agency

Prior to the abolition of zamindaris, an area of 61,450 square miles was comprised in permanently settled estates and 4950 square miles in khas mahal estates under the direct control of the Government. In areas under the permanently settled estates, there was hardly any revenue administration below the district level. In the khas mahals, the revenue administration was carried on by collectors through a number of khas mahal tehsildars. Since the abolition of zamindaris, the revenue administration has been extended to the village level and strengthened at other levels for the management of zamindari estates. The entire State has been divided into 17 districts, 57 sub-divisions and 575 circles, each circle being co-terminus with the NES blocks. Each circle consists of about 10 halkas and each halka comprises about 8-12 villages. The halka is the lowest unit of administration and is under the charge of a karamchari. Against 575 posts of circle officers, only 504 have been filled so far. The remaining posts are likely to be filled by 1962. All the posts of circle inspectors have been filled and 6567 karamcharis have been appointed. A number of them were formerly agents of the ex-zamindars. The karamchari is responsible for the collection of land revenue, maintenance of registers, village accounts and agricultural statistics, and for other land reform work.

A large number of gram panchayats (about 900) have also been entrusted with administration of properties which vest in the State on abolition of intermediaries and associated with preparation of record of rights.

Land Records

As stated above, in several districts, the survey and settlement records were more than 50 years old. The out-going landlords had not delivered the revenue papers to Government. After the abolition of zamindari, it became necessary to have information immediately regarding the area of land held by each raiyat and the rent payable by him, the extent of Government waste lands and village common lands and other information necessary for determination of compensation payable to intermediaries. The Government have, therefore, reconstructed without undertaking a complete cadastral survey, revenue records by undertaking field *bujharat* enquiries in 1954. The object of the field *bujharat* was primarily to prepare a revenue roll, i.e., a list of raiyats who have to pay revenue to Government or on whom rent is to be assessed. Instructions were also issued for entering the name of the under-raiyats and lands held by them. Entries were made by the karamcharies which were checked up by circle inspector and circle officer. A rough and ready record of rights has thus been prepared

for the entire State including certain *diara* areas in which no cadastral survey had been done previously. As stated above, a scheme of cadastral survey at a cost of Rs. 4.6 crores for the Third Plan is in operation with a view to providing an up-to-date record of rights.

Gujarat

Gujarat consists of (i) a portion of the former Bombay area, (ii) Saurashtra and (iii) Kutch.

Survey & settlement

Former Bombay Area : Information is not available separately for the portion comprised in Gujarat. It is available for the former State of Bombay including portions comprised in Maharashtra. Out of the total number of 29,057 villages, 22,422 villages had been surveyed and settled. The unsettled villages (6,635 villages) were comprised in territories merged after the integration of princely states. Government have, however, introduced *ad hoc* settlements in those villages. Only 255 villages remain to be surveyed.

The ryotwari villages have been periodically surveyed and settled. The period of the settlement is 30 years. Most of the settlements are more than 30 years old. Resurvey is not made because it is being properly maintained. Revisional settlements were undertaken in 1954 but were discontinued from June 1959 as the Government did not consider it proper to increase the burden of agriculturists by enhancing land revenue at this stage when their liabilities had increased on account of tenancy and other land tenure abolition laws.

Saurashtra Area : Saurashtra consist of 222 former princely states of Kathiawar. In these States, different systems of land revenue and land records prevailed. There was no uniformity in the system of survey and settlement. The last settlements were made between 1910 and 1946. After the integration, the provisions of the Bombay Land Revenue Code were applied to Saurashtra. Land revenue has been fixed on an *ad hoc* basis pending scientific survey and settlement operations on the Bombay pattern. Out of the total number of 4,447 villages, 1,895 villages have now been cadastrally surveyed and settled on an *ad hoc* basis. Of the remaining 2,552 villages, 2,155 villages have been surveyed but not yet settled. 397 villages are yet to be surveyed.

Kutch Area : Kutch consists of one district. All the 989 villages are yet to be surveyed and settled. *Ad hoc* settlements have been introduced in these villages except 556 villages. Cadastral survey has not, however, been taken up in any of these villages, so far.

Marathwada Area : Out of the total of 7,729 villages, 6,095 villages have been surveyed and settled. In the remaining 1,634 villages *ad hoc* settlements have been introduced. 364 villages are still to be surveyed.

Vidarbha area : Out of 13,785 villages, 13,349 villages have been surveyed and settled. 371 villages are to be surveyed and 343 villages are yet to be settled.

In Gujarat a scheme at a cost of Rs. 61.09 lakhs has been worked out for the cadastral survey of Kutch and other unsurveyed areas of Gujarat for the Third Plan period. An outlay of Rs. 17.4 lakhs was provided for 1961-62 and Rs. 11.94 lakhs have been provided for the year 1962-63.

Revenue agency

Former Bombay area : At the village level, the agency consists of the Talati (village accountant). The charge of the Talati varies from 4 to 5 villages covering about 8,607 acres. In some parts particularly in Maharashtra there were hereditary village accountants called Kulkarnis. Their hereditary offices have been abolished and replaced by stipendiary village accountants. Above the Talati there is a circle inspector or circle officer incharge of about 30 villages covering about 58,750 acres and above the circle officer, there is a *Mamlatdar* or *Mahalkari* incharge of about 118 villages covering about 234 lakh acres. Above them there are deputy collectors. There are 8,246 Talatis, 1,208 circle inspectors or circle officers and 303 *mamlatdars* or *mahalkaris*. In each village there is a revenue patel and a police patel. In some villages, the two posts are held by the same person and in other cases they are held separately. The post of the patel is generally hereditary. The revenue patel assisted by the village accountant is responsible for collection of land revenue. He is paid remuneration in the form of commission as a percentage of the revenue collection.

Saurashtra area : There are five districts in this area. In a village there is a Talati (village accountant). The supervisory agency consists of circle inspectors, mamlatdars, deputy collectors and collectors as in former Bombay area. One Talati is incharge of 5 villages and a circle inspector is incharge of 25 to 33 villages. There are 862 Talatis and 160 circle inspectors.

Kutch area : Within the district, the revenue agency consists of the deputy collectors, mamlatdars, circle inspectors and Talatis (village accountants). A Talati is incharge of about 7 villages and circle inspector of 33 villages.

Marathwada area : Revenue agency is the same as in Telangana area of Andhra Pradesh (described earlier).

Vidarbha area : The primary reporting agency is the patwari. The supervising staff consists of revenue inspectors, Assistant Superintendent of Land Records. A patwari is in charge of about 7 villages. A revenue inspector is in charge of about 17 patwari circles with about 114 villages. In the Berar area, a Patwari has a charge of 3 villages with an area of 4,390 acres. A revenue inspector is in charge of 75 villages. An Assistant Superintendent of Land Records or Superintendent of Land Records has a charge of about 105 patwari circles.

Land records

Former Bombay area : The land records are maintained annually. The main land records are :—

- (i) record of rights ;
- (ii) register of holdings (Khata Vahi) and
- (iii) land register.

The record of rights is the principal land record maintained at the village. Entries in the record are made survey number-wise and against each survey number is shown the name of occupant, area and assessment of the land, names of tenants and sub-tenants along with the rents payable by them and the nature of tenancy and the crops grown.

A person is required to report the acquisition of rights within 3 months from the date of each acquisition.

Corrections of area and assessment of survey numbers as a result of amalgamation of survey numbers or changes in boundaries of survey numbers or sub-divisions thereof can be made by the Talati on the basis of a correction statement received from the Land Record Department through the mamlatdar. On his own, the Talati can only amalgamate sub-divisions in the same survey number if held by the same person and on the same tenure and can delete the guardian's name on the minor's attaining majority. Changes in tenures can be made under orders of superior officers, i.e., Government or collector or sub-divisional officers or mamlatdars. All the above changes and changes in names and rights are channelised through the record of rights in which the Talati makes the entries. All these entries are subjected to thorough scrutiny and then certified by responsible officer of and above the rank of Avalkarkun. After these entries are certified, the Talati has to make in ink the necessary corrections in the record of rights. The register of land holdings shows the names of the occupants, the survey numbers and the assessment for which the occupants are liable to Government.

The land register contains information about soil classification of each survey number and description of wells, trees etc., in each survey number.

A register called District Form V is prepared quinquennially to show the distribution of holdings according to certain grades. It does not contain information about the operational holdings.

Saurashtra area : The land records are maintained annually on the former Bombay pattern.

Kutch area : The land records are maintained on the former Bombay pattern.

Marathwada area : Land records are the same as in Telangana area of Andhra Pradesh (described earlier).

Vidarbha area : The land records are maintained annually. The main land records maintained are Khasra and Jamabandi. These records show the names of tenants or sub-tenants and the rent payable by them. Partners-in-cultivation are also entered in the records.

The patwari is not authorised to make changes in area and rights unless they have been certified by the revenue officers.

Strengthening of the staff

Former Bombay area : Special land reform officers have also been appointed for determining compensation under the land tenure abolition Acts. Additional mamlatdars have been appointed in each taluka for implementation of the Tenancy Act. They perform the func-

tions of the Land Tribunal under the Act. In most cases the services of senior mamlatdars have been made available for this purpose. Additional deputy collectors have also been appointed where necessary for supervising and guiding the work of special mamlatdars.

Besides, there is a Land Reforms Implementation Officer at State headquarters, both in Gujarat and Maharashtra.

Jammu and Kashmir

Survey & settlement

Out of the total geographical area of about 54·1 million acres (including the area on the other side of the cease fire line), about 5·8 million acres which include all cultivable lands, have been cadastrally surveyed. Lands under forests, within the demarcated line and the mountainous areas have not been cadastrally surveyed. The last settlement operations were completed in different parts of the State between 1904 and 1930 in Jammu area and between 1906 and 1929 in Kashmir area. Revisional settlements have been undertaken in the districts of Baramulla and Poonch and map corrections have mostly been done in those districts. The land revenue has not, however, been revised in any tehsil.

Revenue agency

The revenue agency is similar to the one obtaining in the Punjab. The primary reporting agency at the village level consists of patwaris (1,000). The supervisory staff consists of field and office kanungos, saddrar and naib-saddrar kanungos (134) at the circle level, tehsildar at tehsil level and deputy commissioner at the district level. A patwari has a charge of about 7 villages covering about 5,821 acres. A supervisor kanungo has an average charge of about 82 villages covering an area of about 68,523 acres.

Land records

Land records are maintained annually for the entire surveyed area. The main records are (i) khasra girdavari, (ii) jamabandi and (iii) mutations register.

The khasra girdavari is an annual record and indicates possession and the entries are verified by the patwari on the basis of total enumeration. Jamabandi is the record of rights. Although jamabandi is required to be prepared every four years, this has not been done in most areas since sometime prior to partition. Efforts are being made to write up new jamabandis and half the work has been completed during the last 2 years.

The names of tenants and sub-tenants are entered in annual records together with the rents payable by them. Partners-in-cultivation are also entered in the land records.

Khasra girdavari is a basic record on the basis of which entries are made in the register of mutations and jamabandi subsequently. At the time of each harvest inspection, changes in rights, rents and possession of land are recorded in khasra girdavari by the patwaris. These entries are further checked by the supervisory staff. Changes in ownership, etc., are recorded in the register of mutations by the

patwari on the report of the interested persons. It is the duty of a revenue officer to enquire into the correctness of all entries in this register, and make such order as he thinks fit. The correction of entries in the jamabandi are made on an order made under the provisions of the Land Revenue Act or when such entries are agreed to by the parties interested therein. Patwaris can make entries or corrections in the jamabandi only in respect of undisputed acquisition of interests.

Kerala

Survey and settlement

Out of the total area of 15012·42 sq. miles about 11,512 sq. miles had been cadastrally surveyed. The last survey and settlements were carried out during the period from 1904 to 1911. The unsurveyed area of 3,500 sq. miles (23·3%) is comprised of reserved forests and hill. The survey of the unsurveyed private forests in Malabar covering 12 lakh acres has been taken up and about half the area will be surveyed during the next 5 years. The re-survey of the former Travancore area is under consideration.

Revenue agency

There are 9 districts, 55 taluks and 1636 villages in the State. The reporting agency in Travancore-Cochin area consists of village officers and village assistants. For every village there is one village officer. The supervisory staff consists of revenue supervisors, revenue inspectors and tehsildars. A tehsildar is in-charge of a taluk covering an average area of 254 sq. miles. The main duties of the primary reporting agency are the preparation of reports in respect of transfers and registry cases, survey of perambokes, sub-divisions and acquisition of sites for public and government purposes and reporting of encroachment cases.

In Malabar area, the reporting agency and the record of rights are similar to those obtaining in Madras.

In Travancore-Cochin, the land revenue has been replaced by a basic tax at a flat rate of Rs. 2·06 nP. per acre. No allowance is made for class of land or quality of soil. In Kerala, a scheme of cadastral survey and preparation of record of rights has been prepared at a cost of Rs. 167 lakhs for the Third Plan with a view to facilitating the implementation of the Kerala Agrarian Relations Act. For 1961-62 an outlay of Rs. 10 lakhs was sanctioned and an outlay of Rs. 20 lakhs has been approved for the year 1962-63.

Land records

The land records are maintained annually. The principal land record was the settlement register. After the introduction of the basic tax system, the settlement register has been replaced by the basic tax register. This register contains particulars of tax on each holding and the name of the owner. As a supplement to the basic tax register, 'E' register is maintained which contains information about all changes regarding the area and tenure of lands. Besides, a register is maintained for entering new lands surveyed and brought under ayacut lands lying outside the cadastral survey limit.

There is no land record showing the names of tenants or sub-tenants and rents payable by them.

The primary reporting agency cannot make any changes or corrections without the previous sanction of the tehsildar. The primary reporting agency forwards reports to the tehsildars in the prescribed form when mutation applications are received from sub-registrars or death of a land owner is brought to their notice. The tehsildars issue orders to the village officers for effecting changes in the relevant registers and accounts.

Madhya Pradesh

Survey and settlement

Mahakoshal Area : Out of a total geographical area of about 840 lakh acres, about 780 lakh acres were cadastrally surveyed by March, 1951. The remaining unsurveyed area of about 60 lakh acres consisted mainly of forests and hills. Survey and settlement operations in the former C.P. area were done mostly during 1915-30. In some cases they were carried out as early as 1903. Only in a few cases, survey and settlement operations were done during the period 1930-40.

Madhya Bharat : The total area of about 280 lakh acres has been surveyed except about 56,000 acres consisting of forests and hills.

By the year 1950, the term of survey and settlement in most districts had expired and in others it was about to expire. Revisional survey and settlement operations were, therefore, started in 1950 for about 20 lakh acres. About 8 lakh acres were resurveyed. Original survey and settlement operations were also taken up for about 10 lakh acres.

Vindhya Pradesh Area : Excepting 2·6 lakh acres which consisted of forests and hills, the entire area of 151 lakh acres was cadastrally surveyed and settled.

The term of settlement in Vindhya Pradesh varied from 7 to 20 years. Barring a few districts, the term of settlement has expired. In 1954, the State Government initiated revisional survey work.

Bhopal Area : The total geographical area of Bhopal was about 44 lakh acres and the whole of it was cadastrally surveyed. The survey and settlement operations were conducted during the years from 1929 to 1935. The period of settlement was fixed at 20 years. Since then the term has been extended from year to year.

A scheme for the cadastral survey of forests and backward areas of Madhya Pradesh is in progress. During the Third Plan about 1,500 villages are to be surveyed for which Rs. 15 lakhs have been provided. The anticipated expenditure for 1961-62 is Rs. 1·53 lakhs. For 1962-63, a provision of Rs. 1 lakh has been approved.

Revenue administration

The primary agency for the maintenance of land records consists of patwaris and revenue inspectors, who work under the direction and control of the Director of Land Records, who is assisted by deputy directors, superintendent, records and assistant superintendent, records. This agency obtains throughout the re-organised State of

Madhya Pradesh. The size of charge of a patwari, however, varies from 6 to 7 villages in C.P. area (about 7,000 acres), about 4 villages (5,400 acres) in Madhya Bharat area, about 2,000 acres of cultivable land in Vindhya Pradesh area and about 6 villages (about 6,000 acres) in Bhopal area. A revenue inspector's charge also varies from 12 to 26 patwari circles in different parts of the State.

The collection agency consists of revenue patels who are remunerated by way of commission, as a percentage of the collection.

Land records

Land records are maintained for the entire surveyed area. The principal records are—

- (i) *Khasra*, which gives information plot-wise about the area of each plot, the name of owner, the name of the tenant or sub-tenants and the rent payable by him, the crops grown and classification of cultivated and uncultivated lands ; and
- (ii) *Khatauni*, which gives information about the number of plots held by him, the area of each plot, the land revenue payable and the amount realised.

The soil classification is shown in some parts in the *Khasra* and in other parts in the *Khatauni*. The *Khasra* is a five-year register except in Bhopal where a separate register is opened each year.

Information about the names of tenants and sub-tenants and the rents payable by them are shown in the *Khasra*. Partners-in-cultivation (bataidars) are also shown in the *khasra*.

Madras

Survey and settlement

The total geographical area of the State of Madras is 50,019 square miles. Of this about 12,498 square miles were comprised in estates (permanently settled zamindaris and inams). Only the ryotwari areas had been surveyed. With the abolition of estates under the Act of 1948, survey operations were taken up then. About 10,874 square miles have been surveyed and settled. The area which remains to be surveyed and settled consists of inam lands (1,124 square miles) and reserved forests and hills (6,021 square miles). The settlement operations will be completed by 1962-63.

A settlement or a re-settlement was previously in force for a period of 30 years. Barring a few taluks, the term of settlement in the ryotwari area expired long ago. Re-settlements were first held in abeyance in 1937 and later on abandoned as a matter of State-policy. The record of rights prepared at the time of settlements is, however, being kept up-to-date.

Revenue agency

For the maintenance of surveys already completed, there are taluk surveyors, district surveyors, inspectors of survey and land records (one for 2 or 3 districts), assistant directors of survey and land records (one for 5 or 6 districts) and the deputy director of survey and land records who is the head of the survey of land records department. He is attached to the Board of Revenue.

The primary reporting agency is karnam (village accountant). The karnam's office is hereditary. This agency obtains in the ryotwari villages as well as in the estate areas. Generally a karnam is in charge of a village with an area between 2,000 to 3,000 acres. In bigger villages there are additional karnams. In case of small villages a karnam looks after the duties of 2 or 3 villages. The average number of villages per karnam is 2·5. The office of the village headman is hereditary and carries a monthly cash remuneration.

The work of the karnam is supervised by revenue inspectors and tehsildars or deputy tehsildars. A revenue inspector is in charge of a firka consisting of about 15 villages. The tehsildar is in charge of a whole taluk containing about 150 villages on an average. The tehsildar is under the control of the revenue divisional officer whose jurisdiction extends to 2 or 3 taluks. The district head of the revenue department is the collector under whom there are 2 or 3 divisional officers, Jamabandi is conducted in each year either by the collector or the revenue divisional officer. At the time of jamabandi the revenue records and registers are brought up-to-date.

Land records

The primary responsibility for the collection of land revenue is that of the village headman. He is the representative of Government in the village, the village magistrate and the head of the village police. He is usually also village munsif with certain powers of civil and criminal jurisdiction. The village karnam maintains land records and land revenue accounts and is also expected to assist the village headman in every way.

The important records which are maintained are—

- (i) the settlement register;
- (ii) field measurement book;
- (iii) village account No. 2 (adangal);
- (iv) village account No. 10 (chitta); and
- (v) village maps.

The entries in the settlement register show the survey number, extent, assessment, classification of the land (whether wet, dry or peramboke,), etc.

The field measurement book contains the map of every field along with the sub-division thereof. It also gives detailed measurements of each field.

The adangal shows the survey number, extent and assessment of the field, classification of the land, the patta number, the names of crops raised in a year in the field, the month of cultivation and the outturn of the harvest and the crop, etc. The Government have ordered that the names of the cultivating tenants should also be noted in the adangal. A provision of Rs. 1 lakh has been made in the Annual Plan for 1962-63 for the implementation of land reforms and strengthening supervisory staff for the preparation of record of tenants and share-croppers.

The chitta shows the patta number, the names of pattadars and the extent of lands owned by them.

The village registers are maintained up-to-date. Changes in the extent or classification of fields and ownership are being incorporated as and when they occur. The village accounts are written up annually. New chittas are written up once in 10 years.

Maharashtra

Maharashtra consists of :

- (i) the portions of former Bombay area ;
- (ii) Marathwada area of the former Hyderabad ; and
- (iii) Vidarbha area of former Madhya Pradesh.

The position regarding the former Bombay area has been set out above under Gujarat. With regard to Marathwada area and Vidarbha area, the position is as follows :

Survey and settlement

Marathwada area : Out of the total of 7,729 villages, 6,095 villages have been surveyed and settled. In the remaining 1,634 villages, *ad hoc* settlements have been introduced. 364 villages are still to be surveyed.

Vidarbha Area : Out of 13,785 villages, 13,349 villages have been surveyed and settled. 371 villages are to be surveyed and 343 villages are yet to be settled.

In the Second Plan of Maharashtra, three schemes relating to (i) revisional survey of villages in Marathwada, (ii) cadastral survey of unsurveyed villages in Vidarbha, (iii) Pot-Hissa measurement in unsurveyed villages of western Maharashtra were undertaken. These schemes have spilled over to the Third Plan and included in the non-plan schemes. An expenditure of Rs. 9.98 lakhs is anticipated during 1961-62 and Rs. 10.18 lakhs have been provided for 1962-63.

Revenue agency

Marathwada area : Same as in Telengana area of Andhra Pradesh (described earlier).

Vidarbha Area : The primary reporting agency is the patwari. The supervisory staff consists of revenue inspectors, and assistant superintendents of land records. A patwari is in charge of about 7 villages. A revenue inspector is in charge of about 17 patwari circles, with about 114 villages. An assistant superintendent of land records has a charge of about 105 patwari circles.

Land records

Marathwada area : Same as in Telengana area of Andhra Pradesh (described earlier).

Vidarbha area : The land records are maintained annually. The main land records are khasra and jamabandi. These records show the names of tenants or sub-tenants and the rent payable by them. Partners-in-cultivation are also entered in the records.

The patwari is not authorised to make changes in area and rights unless they have been certified by the revenue officers.

Mysore

Mysore consists of (1) the former Mysore State, (2) Karnataka area of the former State of Bombay, (3) Karnataka area of the former State of Hyderabad, (4) Coorg, (5) South Kanara district of former State of Madras and (6) Bellary district from the former Andhra area.

Survey & settlement

Mysore area : In the former Mysore area lands are held under two different tenures, namely (i) the ryotwari and inams. There are 17,695 government villages and 2,110 inam villages. All the government villages have been surveyed and settled. Of the 2,110 inam villages, 565 had been surveyed by 1930. Between 1930 and 1959, another 435 villages have been surveyed and settled. Thus, 1,110 inam villages remain to be surveyed.

In the ryotwari area, the re-classification had been completed in 26 taluks out of 82. It is in progress in 15 taluks. The entire work will be completed in about 5 years. The revisional settlement has also been taken up recently and for this purpose, the whole area has been divided into 16 zones.

Bombay area : All the Government and inam villages are surveyed and settled. The revisional settlement work which commenced in 1955 is expected to be completed by 1961.

Hyderabad area : All the Government and inam villages are surveyed and settled. The revisional settlement work undertaken in Bidar District is likely to be completed by June, 1960. Similar operations will be taken up in Gulbarga district thereafter. Raichur District is not due for re-settlement.

Coorg area : The entire area except the 2 inam villages are surveyed and settled. Survey in the 2 inam villages is to be taken up shortly. Revision settlement work will be taken up in this area after the revision settlement work is completed in the former Mysore area.

South Kanara District (former Madras) : All the villages are surveyed and settled. The revision settlement will be due in 1964 and 1965.

Bellary District (former Andhra) : All the Government villages are surveyed and settled. The revision settlement has fallen due since 1953-54.

In the Third Plan, an outlay of Rs. 8 lakhs has been provided for the cadastral survey of inam villages. An expenditure of Rs. 3.79 lakhs is anticipated during 1961-62 and an outlay of Rs. 4.40 lakhs has been approved for 1962-63. An outlay of another Rs. 6.70 lakhs has been approved for 1962-63 for the former Mysore area, South Kanara and Coorg and for bringing the record of rights up-to-date.

Revenue agency

There are two types of village officers at the village level, namely, (i) shanbhog, i.e., village accountant, and (ii) patel, i.e., village headman. The shanbhog's charge consists of 2 to 3 villages on an average.

His main duties are to keep prescribed village accounts and render help to the patel in the collection of government dues. He is also responsible for preparing all writings connected with the village required for government use or public, such as reports of inquests, depositions, etc.

The patel is the headman of the village and he is primarily responsible for the collection of land revenue and its custody. He is generally in charge of only one village, though in a few cases particularly in Malnad parts where there are more unpopulated villages, he is in charge of 2 or 3 villages. Besides collection of land revenue, he is required to keep in order tanks and channels, look after village and district forests and detect offences, to look after avenue trees and to maintain in due repair the boundary marks in unalienated lands. He also functions on behalf of the police with regard to tracing of offences and brings to notice matters of importance. He is also to report on births, and deaths in the village, etc.

The shanbhog is paid remuneration as a percentage of the gross revenue of the village or the villages comprised in his charge, on a sliding scale *viz.* for the first thousand rupees of the gross revenue, 4%, for the second thousand, 3% and for the balance beyond Rs. 2,000 of the gross revenue, 1%. The emoluments are subject to revision once in 10 years. Additional remuneration is payable for the collection of miscellaneous government dues. The basis adopted for remuneration to the patel is the same though it is somewhat of smaller order. The patel is paid for the first thousand of the gross revenue 3%, for the second thousand or a part of it, 2% and for the balance, 1%. In some places the patel and the shanbhog were assigned lands also in addition to the remuneration.

The offices of the shanbhog and the patel are hereditary. The State Government have formulated a proposal for the abolition of hereditary offices.

The supervisory staff consists of—

- (i) revenue inspector or circle inspector ;
- (ii) amildar incharge of a taluk ;
- (iii) assistant commissioner and above him, the deputy commissioner.

A revenue inspector's circle consists on an average of 50 to 60 villages covering an area of about 53,000 acres. An amildar has about 200 to 250 villages comprising an area of about 2 to 2½ lakh acres, including cultivated and uncultivated lands. An assistant commissioner is incharge of such division which comprises 3 to 4 taluks. A district consists of about 3 taluks.

Land records

The following records are maintained annually:

- (i) Index of land . This register gives information survey number-wise, about all occupied and un-occupied lands regarding their extent, name of occupant and the assessment. The changes in the register are posted annually.

- (ii) Khata or ledger . This register gives information about the lands held by each individual, land revenue payable and the amount actually recovered.
- (iii) Pahani-crop register . This includes information given in the index register and furnishes details of crops raised on each plot of land.
- The above records are maintained for government & settled inam villages but not in respect of unsurveyed & unsettled villages.
- A tenancy and crop-register has also been prescribed. In this register all forms of tenancies are to be entered giving the names of tenants and the rents payable by them. It is reported that this register has not been maintained in all villages.

The revenue agencies and the land records mentioned in the preceding paragraphs refer to the former Mysore State. In areas transferred to Mysore from Bombay, Hyderabad and Madras, the revenue agency and the land records were on the pattern obtaining in these States. In 1958, legislation was enacted to provide for a unified system of maintenance of record of rights throughout the Mysore State.

Orissa

Survey & settlement

Out of a total area of about 60,376 square miles, 40,974 square miles had been surveyed and settled upto 1951. Since 1951 a further area of about 4,000 square miles has been surveyed and settled. The survey and settlement operations are in progress in two districts (Koraput and Kalahandi). The bulk of the unsurveyed area consists of hills and forests and is comprised in the Agency Tracts which are inhabited by hill tribes.

सर्वमान जयन

In a large number of districts the survey and land record operations had been carried out 40 to 50 years back. Besides, in several parts of the ex-States areas, regular chain survey was not done. In areas held under permanently settled zamindaris, only the survey and land record operations were carried out. The settlement operations were not necessary and were not, therefore, done. A very large area has thus to be resurveyed and settled. A tentative programme has been drawn up by the State Government extending over a period of about 10 years. Its execution will, however, depend upon the availability of finances.

Revenue agency

The revenue administration varies in different parts of the State. For this purpose, the State could be divided broadly into five parts :

- (i) Zamindari areas (mainly in North Orissa) ;
- (ii) Khas Mahal, i.e., Government (Ryotwari) estates ;
- (iii) C. P. areas ;
- (iv) South Orissa, i.e., Ganjam District ;
- (v) Ex-States areas.

In the Zamindari areas, the proprietors were required to deposit the land revenue at the district treasury. One sub-divisional officer was put incharge of revenue collections. He was assisted by one or more tehsildars. Below the district, there was no revenue administration. Zamindars had their own collection agencies.

In khas mahals (ryotwari area), revenue collection was made through *Sarbarakars*. Their office was, by convention, hereditary. They were paid 10% commission and were given some jagir lands also. There was one sarbarakar for 4 to 8 villages. In addition to collection of land revenue, he was also required to keep the record of rights up-to-date by carrying out mutations.

In C. P. area, the system is the same as in the former State of Madhya Pradesh, i.e., there are patwaris for maintenance of land records and *Mukaddams* (village headmen) for collection of land revenue. The patwaris were paid remuneration in cash. The mukaddams were paid a commission of 10% and were allotted some "bhogra" (jagir) lands.

In South Orissa, i.e., district Ganjam, the revenue agency is on the pattern of Madras of which this area had earlier formed part. There is a *Karji* (village headman) for the collection of land revenue and a *Karnam* (village accountant), to maintain land records. Both are part-time servants and are paid remuneration in cash. Their offices are hereditary by law. The district is divided into revenue divisions, taluks and firkas. Thus the supervisory agency consists of revenue divisional officers, taluk officers (tehsildars) and revenue inspectors (incharge of firkas).

In the Agency Tracts of South Orissa, there is no proper revenue assessment. The lands were held on payment of "mamool" (customary payments in kind) which were payable to *Muthaheads* (one for about 20 villages). The Government are collecting a fixed sum of about Rs. 500 from a Muthahead. The payments by cultivators to the Muthaheads have been converted into cash on *ad hoc* basis at Re. 1 per acre.

As regards the ex-States areas of former Princely States, the States in the neighbourhood of C. P. areas were following the C. P. system and those in the neighbourhood of North Orissa were following the North Orissa system (*Sarbarakars* etc.).

After the abolition of zamindaris, a system called *Anchal Sasan* was introduced. Since November 1957, it has been replaced by a new agency consisting of tehsildars and naib-tehsildars. The naib-tehsildar is usually incharge of 4 to 8 villages with revenue payments of about Rs. 25,000. There is a tehsildar for about 100 villages. A tehsildar circle usually carries an assessment of about Rs. 3 lakhs. Usually it is coterminous with a development block. Above the tehsildars there are sub-divisional officers.

The naib-tehsildars are responsible for the collection of land revenue as well as maintenance of land records. They do not, however, keep crop statistics which are collected by the Bureau of Economics and Statistics by crop surveys.

The above system has been introduced in the khas mahal areas also. The sarbarakars have been replaced by tehsildars and naib-tehsildars and their jagirs have either been resumed or converted into ryotwari pattas. The system is being extended to ex-States areas and the former C. P. areas also.

The abolition of the hereditary village offices in South Orissa is under consideration.

Land records

As stated earlier, the bulk of the occupied area has either been surveyed or is under survey, except the Agency Tracts. During the survey a record of rights was prepared. In the zamindari areas, the record of rights included information about lands held by tenants of zamindars. The names of sub-tenants were also recorded. There was no government agency, however, at the village level to incorporate changes in the record of rights. Many zamindars kept an up-to-date record of rights but in many cases it was not made available to the government.

In the khas mahals, the record of rights included the names of government tenant (pattadars) and their sub-tenants. The sarbarakars were required to keep the record of rights up-to-date by incorporating mutations. It has not, however, been done in all cases.

The village agency in South Orissa, C. P. areas and the ex-States areas was also responsible for maintaining the record of rights up-to-date.

In no area are the names of *Bhagchasis* (crop-sharers) who are cultivating a considerable area shown in the land records.

Special agency for land reforms

The revenue agency is responsible for the execution of land reform programmes. A commissioner of land reforms has been appointed at State headquarters and the revenue administration is being strengthened at various levels for the implementation of land reform programmes. An outlay of Rs. 59 lakhs has been provided in the Third Plan for the purpose. Besides, for cadastral survey and the preparation of record of rights, a provision of Rs. 1 crore has been made in the Third Plan. An expenditure of Rs. 10 lakhs in 1961-62 is anticipated. A provision of Rs. 20 lakhs has been approved for 1962-63. The above provisions are in addition to the provision of Rs. 1.75 crores for the third plan period in the non-plan schemes.

Punjab

Survey and settlement

Out of a total area of 303 lakh acres, about 257 lakh acres have been cadastrally surveyed. The unsurveyed area of 46 lakh acres consists of unmeasured reserved forests and mountainous areas of Kangra district.

In the Punjab area, survey operations were completed in 10 out of 13 districts during the forties of this century. In two districts (Rohtak and Gurgaon), they were carried out between 1937 and 1939 and in one district (Karnal) the work was done as early as 1908-1909. The normal duration of assessment is forty years. In the Pepsu area, the settlements were made generally more than 30 years back. At present re-settlement operations are in progress in four tehsils (one each of Simla and Gurdaspur districts and two of Ambala district).

Revenue agency

About 4 estates* are grouped into a circle, to which a patwari is appointed. About 20 such circles form charge of a field kanungo who supervises the work of patwaris. About 3 to 5 field kanungo circles constitute a tehsil which is the charge of a tehsildar assisted by a naib-tehsildar. At several places, the tehsils constitute a subdivision which is the charge of a sub-divisional officer who works under the collector. On an average about 5 districts constitute a division under the charge of a commissioner. The department is headed by the financial commissioner.

Land revenue is collected through the agency of *Lambardars* who are appointed from among the proprietors and in consultation with them. They are remunerated in the form of commission at about 5 per cent. of the collections. The patwaris have no immediate responsibility for the collection of land revenue.

Land records

The records are maintained for an area measuring 257 lakh acres. Records are not maintained in the un-surveyed area measuring about 46 lakh acres i.e. about 15% of the total area. The following are the principal records which are maintained :—

(1) *Mis-Haquiats* (record of rights) is prepared at the time of settlement for each estate.

(2) *Jamabandi* (register of holdings of owners and tenants). It is written up every four years. If a patwari has four villages in his circle, he prepares one quadrennial each year. The quadrennial jamabandi shows particulars of each owner's and tenant's holding, field numbers comprised in each, the land revenue payable by the owner and the rent payable by the tenant.

(3) *Khasra Girdawari* (harvest inspection book) : This register is maintained field-wise, showing classification of soil, ownership and tenancy and the crop sown. The rents paid to landlords are also entered. The entries are made twice a year at the time of harvest inspection by the patwari by a check on the spot.

(4) *Mutation Register* : As mentioned above, detailed entries are made in the jamabandi as well as khasra girdawari showing the names of tenants, the nature of rights and the rents payable by them.

*estate usually consists of a revenue village.

Special staff for land reforms

The normal district revenue staff is charged with the implementation of land reform. To cope with the additional work in connection with the provisions relating to surplus lands, additional staff consisting of naib-tehsildars, kanungos and patwaris has been provided in districts from time to time to assist the normal revenue staff. One Additional Agrarian Reforms Officer-cum-Additional Secretary Revenue has been appointed at the State headquarters. He is assisted by one special collector and secretariat staff. Besides, Pepsu Land Commission has been set up to determine fair rent for purposes of determining compensation to be paid to land owners and also to advise with regard to exemptions under the Pepsu Tenancy Act.

Rajasthan

Rajasthan includes—

- (1) the former State of Rajasthan,
- (2) Ajmer, and
- (3) the territories transferred from former Madhya Bharat and Bombay

Survey & Settlement

Former Rajasthan : In 1951 out of a total area of about 832 lakh acres only 324 lakh acres had been cadastrally surveyed. After the integration of States in 1948, survey operations were undertaken on a large scale. Except about 500 villages of Jaisalmer District where the survey is in progress, the entire area has been cadastrally surveyed.

Ajmer area : The entire area of 2,418 square miles has been cadastrally surveyed. Much of it was surveyed during 1951-53.

Revenue agency

Former Rajasthan area : The Revenue agency is on the pattern of Punjab. Within a district, the primary reporting agency consists of patwaris (village accountants—6,418). The supervisory staff consists of inspectors (554), office kanungos and sadar kanungos (263). Above them there are naib-tehsildars, tehsildars, sub-divisional officers and collector. One patwar circle consists of 3,000 khasra numbers with land revenue of about Rs 8,000/- and an area of about 7,500 acres (of which 2,500 acres may be cultivated). An inspector's circle consists of 10 patwar circles generally.

The revenue collection agency in the khalsa (ryotwari) area consisted of *Patels* and *Mukaddams*. In the zamindari area, the lambardari system obtained. The jagirdars were required to deposit their *peshkash* directly in the treasury. The government have under consideration a proposal for appointing *amins* for the collection of land revenue throughout Rajasthan.

Ajmer area : The primary reporting agency consists of patwaris (281). The supervisory agency consists of girdavars (20), naib-tehsildars (6) and tehsildars (3). On an average a patwari is in charge of three villages, a girdavar of 37 villages and a circle officer of 83 villages.

Land records

Former Rajasthan area : Prior to 1951, the land records organisation existed only in settled khalsa villages. In the non-khalsa area, there were practically no land records. The land records have since been prepared for the entire surveyed area, and are under preparation in the un-surveyed area. These records follow the Punjab pattern. The main land records are *khasra girdavari* and *jamabandi* which contain the names of tenants and sub-tenants and rents payable by them. The names of sajhis (partners-in-cultivation) are also shown.

In the undisputed cases a patwari is competent to make corrections or changes in respect of tenancy or other rights, such as possession, rents etc. But in the disputed cases, no changes can be effected without the orders of sub-divisional officer.

Ajmer area : The main land records are (1) *khewat* which is a register of the proprietors of lands in a village ; and (2) *khasra girdavari* whch shows the crops grown, the names of tenants and sub-tenants and the rents payable by them. A patwari is not authorised to effect any changes in the *khewat*. In undisputed cases of sales, gifts, mortgages, successions and adoptions, etc. the changes in the record are made by naib-Tehsildars and Tehsildars. In disputed Cases, entries are made according to the decisions of the sub-divisional officer and superior courts. Corrections in the settlement records can be made only on the orders of the collector.

Uttar Pradesh

Survey and settlement

The bulk of the area of the plain districts has been surveyed and settled. The settlements are guaranteed for a period of 40 years. In 10 districts, the term of the settlement has expired but revisional settlement operations were not taken up due to World War II and subsequent zamindari abolition.

Cadastral survey has not, however, been done in the hill districts. The survey and record operations in the 4 hill districts of Kumaun Division were started during 1955-56. These operations have been completed in 4 out of 12 tehsils of the Division. 3 other tehsils were taken up during 1957-58.

A provision of Rs. 45 lakhs has been made in the Third Plan, 30 lakhs for Kumaun Division and Rs. 15 lakhs for Uttar Khand Division. The cadastral survey in the hill areas is likely to be completed by the end of 1962-63.

Revenue agency

The primary reporting agency consists of lekhpals (village accountant) in the plains (18,119) and patwaris in hill patti (272). The area of lekhpal halka (circle) is prescribed as 3,500 acres. The cultivated area of the halka should be 2,200 acres.

The supervisory staff consists of supervisor kanungos. They number about 772. A supervisor kanungo's circle ordinarily consists of 40 to 50 lekhpal halkas and generally coincides with the boundaries of the Pargana. At each tehsil headquarter there is a registrar kanungo assisted by the assistant registrar kanungo. The work of the kanungos

is supervised by naib-tehsildars and tehsildars. The work of the tehsildar is supervised by the sub-divisional officer who shares with the collector, but subject to his control, responsibility for the correct maintenance of the maps and records in the sub-division.

The main function of the primary reporting agency is the maintenance of land records. It is not concerned with the collection of land revenue. The collection agency consists of *amins* at the lowest rung. Their work is supervised by naib-tehsildars who are always on the move in order to check the collections and also to see that the *amins* do not harass the revenue payers. The work of the naib-tehsildars is supervised by the sub-divisional officer. The collection work at the district headquarter is looked after by the collector himself with the assistance of a deputy collector who acts as an officer incharge of collections. At present there are about 5431 all the year round *amins* and 300 of seasonal *amins* to cover nearly 450 lakh acres of holding area. The collection of canal dues, taccavi loans and other government dues and wherever necessary the dues owing to Gaon Sabhas are also made through this agency. The cost of collection is about 4·5% of the demand.

The State Government is authorised by law to charge village panchayats with the duty of collection and realising land revenue and other government dues on its behalf wherever it thinks the panchayat can shoulder the responsibility. A few panchayats have been entrusted with this responsibility. They receive as commission one anna per rupee of the amount of government dues realised by them. It is reported that the response to the move for collection of land revenue through panchayats has not been encouraging.

Land records

The principal land records are as follows :

- (i) A *village map*, which defines the boundary of the village and also of each field in the village.
- (ii) *Khasra*, a field book in which the lekhpal enters all plots of lands in a village serially together with their area, source of irrigation, different crops grown and other agricultural statistics.
- (iii) *Khatauni*, a record of rights of tenure holders (*i.e.* owners) and sub-tenure holders (*i.e.* tenants) arranged tenure-wise together with the period of possession.

Entries in the land records are made annually and are expected to be maintained up-to-date. Khatauni has been made a triennial record since 1363 Fasli. The names of tenants and the rent payable by them are thus shown in the record of rights. The names of partners in cultivation or *sajhis* are also mentioned in the remarks column of the khasra.

The general principles with regard to making of entries or correction of entries in the land records are as follows :

- (i) The lekhpal is not authorised to make any entry of possession in the land records on his own authority. Lekhpals are prohibited from making any changes except on the basis of an order from the competent authority. Such a change is recorded in red ink in the relevant columns of the khasra and the order of the competent authority is reproduced in the remarks column of the khasra.

(ii) If a change is required in the khatauni, the lekhpal reports them to the tehsildar for orders.

(iii) After each partial of a village, the lekhpal prepares in triplicate a list of changes in respect of the following occurrences which he is required to note in the remarks column of the khasra :

- (a) If a person other than the one recorded in column 4 or 5 of the khasra is found to be in actual occupation.
- (b) If a tenure-holder recorded in column 4 or 5 of the khasra ceases to be in possession and no one else is found to be in possession.
- (c) If the recorded tenure-holder has permitted any person to share in the cultivation of his holding or any part thereof as a partner or *sajhi*.
- (d) if a sirdar or assami uses his holding for a purpose other than agriculture, horticulture or animal husbandry.
- (e) If a person is found in possession of land lying vacant or uncultivated.

(iv) One copy of the list is sent to the supervisor kanungo and another to the sarpanch of the panchayat. Extracts from this list are issued to the persons concerned so that the persons affected, if they are aggrieved, may apply for the correction of papers. The supervisor kanungo verifies the entries in the list and gets such of the facts reported to the tehsildar for orders as have not already been reported by the lekhpal. Orders received on these reports are entered in columns 7 and 8 of the khatauni.

Even clerical errors in the khatauni have to be reported by the lekhpal to the tehsildar for his orders. As a measure of further check against unscrupulous entries being made in the remarks column of the khasra, the following procedure was provided in March 1955 to be adopted by lekhpals—

- (i) The lekhpal shall, while recording the facts of possession in the remarks column of the khasra, write on the same date the fact of possession in his diary also which he shall keep with him at the time of his partial, and note the date and the serial number of the diary in the remarks column of the khasra against the entry concerned.
- (ii) After the lekhpal has prepared the list of changes, he shall note the serial number of the diary and the list of changes as noted in the remarks column of the khasra.
- (iii) While issuing extracts from the khasra, the lekhpal shall give a true copy including the date and serial number of the diary and the list of changes as noted in the remarks column of the khasra.

As a result of the Second World War, which left little time for routine administration, the advent of Independence which brought its own problems and the various measures of land reforms which demanded the whole attention of the land record staff, the maintenance of land records was much neglected. The mass resignation of patwaris in 1953 caused a further set back. In view of the deteriorating conditions of land records, a concerted drive to correct the khatauni was undertaken about the middle of August, 1954 in all

the districts of the State except the hilly districts of the Kumaun Division. Before the drive was started printed leaflets were widely distributed in the villages, inviting the peasantry to take advantage of this opportunity to get the records corrected free of cost and assemble on the appointed date and time to hear the entries in the khataunis to be read out by the lekhpal in the presence of the sarpanch. For the purpose of the drive, each tehsil was divided into three sectors assigned to the sub-divisional officers, tehsildars and naib-tehsildars who did extensive touring to supervise the work of lekhpals and supervisor kanungos. About 34,86,000 wrong entries were discovered and corrected.

West Bengal

Survey and settlement

The total area of the State is 33,885 square miles which includes the transferred territories of Bihar, covering an area of about 3,157 square miles.

In former West Bengal out of a total are of 33,658 square miles, 27,789 square miles have been cadastrally surveyed. The unsurveyed area of 2,869 square miles comprises of reserved forests, tea gardens, cinchona plantation etc., which are found in the districts of 24—Parganas, Jalpaiguri and Darjeeling. There is a proposal to cadastrally survey the tea gardens in connection with the zamindari abolition.

The cadastral survey was carried out between period from 1906 to 1940. Most of the area was permanently settled. However, periodical settlement operations were undertaken for rent settlements of tenants and sub-tenants of khas mahal estates (Government estates and temporarily settled private estates) for determination of revenue in permanently settled zamindari areas. The revisional survey operations were started in 1953 in connection with implementation of the West Bengal Estates Acquisition Act. They are nearing completion.

As regards the transferred territories from Bihar, survey and settlement was started in 1957 as a temporary measure with the introduction of land reforms in those areas. The operations in the Kishanganj area were carried out under the Bihar Tenancy Act, 1885 and in Purulia under the Chota Nagpur Tenancy Act, 1908.

Revenue agency

After abolition of zamindari, the estates and rights which have been vested in the State Government are being managed by Government on the lines of the old Khas Mahal administration. For the purpose of management each district is in over-all charge of an additional collector. The districts have been divided into sub-divisions each in the charge of a sub-divisional land reforms officer. A sub-division has been further sub-divided into a number of circles each with a rental demand of about Rs. 3 lakhs. These circles are placed under the charge of subordinate executive officers, known as junior land reforms officers. Each circle is sub-divided into tehsil units, each with a rental demand of about Rs. 5,000. About 8,000 tehsildars have been appointed in the state.

Land records

In West Bengal, there is no system of maintaining land records annually. A record of rights was, however, prepared. It contains the names of landlords, tenants and sub-tenants and the rents payable by them. Names of bargadars (share-croppers) were not recorded in the record of rights. Provisions have been made in the West Bengal Land Reforms Act, 1955 for maintenance and revision of the record of rights. In the record of rights prepared after the abolition of zamindari, the names of share-croppers have also been recorded.

The original record of rights is kept in the record room of the collector for the purpose of reference only. For administrative purposes, a copy of the same is kept in the Khas Mahal Office. Corrections are made in it from time to time on the report of the collecting agency. No annual records are maintained.

Delhi

Survey and settlement

The entire area of Delhi has been cadastrally surveyed and settled. The cadastral survey was, however, made between 1880-96 and settlement between 1908—16. The term of settlement is 40 years. Since 1951, 135 out of a total of 358 villages have been resurveyed. The remaining villages will be re-settled in the next five years.

Revenue agency

The primary reporting agency is on the Punjab pattern. The average number of villages per patwari is 4 with an area of 3,810 acres. The average charge of a kanungo is 14 patwar circles.

The land revenue is collected through bailiffs.

Land records

The land records are being maintained on the Punjab pattern. The records show the names of tenants and sub-tenants and the rents payable by them. In the U. P. region, the period of possession is also shown. Instructions have been issued to the revenue staff to afford all reasonable opportunities to the members of the panchayat to associate themselves with the recording of *Girdawari* (inspections by revenue staff).

The Land Reforms Act is being administered through the normal revenue agency. A special officer has, however, been appointed at headquarters.

Himachal Pradesh

Survey and settlement

The total geographical area of Himachal Pradesh is 69.8 lakh acres. The bulk of the surveyable area, excluding hills and reserved forests, had been surveyed and settled in all districts except Chamba and parts of districts Mahasu and Mandi prior to integration of States in 1951. The survey and settlements in districts Chamba and Mahasu have since been completed. The work is in progress in the district Mandi. In all about 19 lakh acres have been surveyed or re-surveyed and settled since the integration of States.

Revenue agency

The revenue agency is similar to one obtaining in the Punjab. Land revenue is collected through lambardars. The land record agency consists of patwaris and supervisory kanungos. On an average, a patwari is in charge of an area of about 1,500 acres and the supervisory kanungo of about 12,800 acres.

Land records

The land records are maintained annually on the Punjab pattern.

Special agency for land reforms

Land reform programmes are being implemented through the agency of revenue staff. Special compensation officers have been appointed at district head-quarters. In the annual plan of 1962-63, a provision of Rs. 3 lakhs has been made for strengthening the agency for the implementation of land reforms.

Manipur

Survey and settlement

The geographical area of Manipur is about 55.2 lakh acres of which about 4 lakh and 48 thousand acres are comprised in the valley and the rest of it in the hills, which are inhabited by tribals. Very little of settled cultivation is practised in the hill areas.

About 3 lakh acres of the valley area were cadastrally surveyed during 1920-30. The remaining area had been chain-surveyed from 1907 onwards.

A 7-year programme for re-survey and settlement of the valley area at a cost of Rs. 27 lakhs was taken up in 1958.

Revenue agency

There are 51 amins in the valley area which includes 618 villages. The average charge of an amin comes to about 8,800 acres, or about 12 villages. The valley is divided into four tehsils, each in the charge of a supervisor kanungo. At the headquarters (Imphal), the collector is assisted by sub-divisional officers in the revenue administration. An amin is responsible for annual entries relating to newly occupied areas or relinquished areas, recording, compilation of area statistics and the collection of land revenue.

Land records

Two registers are maintained, namely,—

- (i) Dag Chitha (Field Inspection); and
- (ii) Jamabandi.

In the registers, the name of pattadar, the revenue payable and the classification of land are entered. There is a column for showing the names of tenants and sub-tenants, but it is not being filled. The rent payable by tenants are also not shown. The customary rent is 12 pots of paddy (i.e. about 18 maunds) per pari ($2\frac{1}{2}$ acres).

The lands carry a flat rate of assessment at Rs. 9 per pari i.e. Rs. 3.68 per acre.

Tripura

Surveys and settlement

Tripura comprises 4,116 square miles, covering 3453 villages. There was no regular survey & settlement. Patches of lands had been surveyed at places. A five year programme for survey and settlement at a cost of Rs. 1·33 crores has been worked out, to be completed by 1963-64. The survey is in progress in two sub-divisions out of ten.

Revenue agency

The whole area has been divided into 45 circles (called tehsils). There are 47 tehsildars who are assisted by 76 assistant tehsildars. They constitute both the collection agency and the record agency. Their work is supervised by sub-divisional officers.

Land record

The principal register is the *touzi* which shows the names of revenue-payers (taluqdars in the proprietary villages and ryoti holders in the Government villages), the area held by a revenue-payer and the land revenue payable. The names of tenants of proprietors or ryotwari holders are not shown.

In Government villages two other registers are maintained namely, (1) *chitta* and (2) *khatian*. The *chitta* gives plotwise particulars of field boundaries and measurements of plots, name of the holders and nature of land, rate of land revenue, etc. The *khatian* gives similar information holder-wise.





CHAPTERS ON LAND REFORM

*Reproduced from First Five Year Plan, Second Five Year Plan,
and Third Five Year Plan.*





FIRST FIVE YEAR PLAN

CHAPTER XII

LAND POLICY

THE LAND PROBLEM

THE FUTURE of land ownership and cultivation constitutes perhaps the most fundamental issue in national development. To a large extent the pattern of economic and social organisation will depend upon the manner in which the land problem is resolved. Sooner or later, the principles and objectives of policy for land cannot but influence policy in other sectors as well.

2. In the three preceding chapters, we have set out at some length the state of the agricultural economy, the approach to agricultural development in relation to the process of national development as a whole, and, finally, the practical implications of the food problem. In this chapter and the next we consider what may be described as the social policy for bringing about those changes in the pattern of production and distribution and in the structure of the rural economy which will serve to establish increasing equality of status and opportunity and, at the same time, help fulfil the targets of agricultural production which are central to the success of the Five Year Plan. In other words, from the aspect of the national economy as a whole, the conclusions to be emphasised are :—

- (1) increase of agricultural production represents the highest priority in planning over the next few years ; and
- (2) the agricultural economy has to be diversified and brought to a much higher level of efficiency.

From the social aspect, which is not less important than the economic, a policy for land may be considered adequate in the measure in which, now and in the coming years, it reduces disparities in wealth and income, eliminates exploitation, provides security for tenant and worker and, finally promises equality of status and opportunity to different sections of the rural population.

3. The achievement of these economic and social aims is as much a part of the purpose of the Five Year Plan as the fulfilment of targets in industry or transport or agriculture. While broad principles and directions of policy can be indicated, it is necessary to remember that the form and manner of their application and the adaptations to which they are subject will differ widely in different parts of the country. In the main, land policy has to be worked out in terms of local needs and conditions. The texture of relationships concerning land, conditions of economic life, the social composition of rural communities and the pattern of occupational distribution differ widely, so that no generalisation can have more than a limited value. Nevertheless, developments in one State are often significant enough to exert influence, elsewhere. On account of the abolition of feudal tenures, which is in progress in many States, the system of land holding over the greater part of the country is beginning to approximate in substance to the ryotwari system. Proposals for land reform

raise important questions of policy and finance which call for close co-operation and consultation between the Central and State Governments. Even though the pace of land reform and of economic development cannot be the same all over the country, it is desirable that as between different States there should be a broad, common approach in land reform programmes and, as an essential aspect of the implementation of the Five Year Plan, the stages in which land reforms are to be carried out should be worked out by the Central Government and the States.

4. Problems of land reform may be viewed in two ways, namely, (i) from the point of view of agricultural production and (ii) from the point of view of different interests in the land. The first aspect is the subject of land management legislation, the second of land reform legislation. To fulfil its broader objectives, land policy should include both elements, for, it is only in an economy in which production and employment expand that the community can realise fully the benefits of changes in the social and economic structure. Although, between the two aspects of policy, there is no conflict of principle, land reform will be fruitful in the measure, in which each step is marked by a balance of emphasis. The main outlines of policy have to be conceived in terms of different interests in land and, at the same time, the effects on production of each measure that may be proposed have to be foreseen and provided for. The interests in question are: (1) intermediaries, (2) large owners, (3) small and middle owners, (4) tenants-at-will and (5) landless workers. These different interests cannot be considered in isolation from one another, for, any action affecting one interest must either give something to or take something away from one or more of the other interests. As social and economic adjustments affecting individual interests come into effect, a new social structure takes the place of the old. It is best that the period of transition and uncertainty should be short, so that the new social pattern can develop its own organic unity and can begin to evolve from within.

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INTERMEDIARY RIGHTS

5. The abolition of intermediary rights has been the major achievement in the field of land reform during the past few years. In varying degrees these rights had a long history behind them and, until quite recently, in some States, they were the essential elements of power in the feudal structure. As a result of the elimination of these rights, in States which had *zamindari*, *jagirdari* or other similar tenures, the State has now come into direct contact with the occupier of the land. *Zamindari* has been abolished in Uttar Pradesh, Madhya Pradesh and Madras and is in the process of abolition in Bihar. Legislation already enacted in Assam and Orissa is shortly expected to be enforced, and West Bengal, which has had serious problems to reckon with since Partition, is engaged in framing legislation for the abolition of *zamindari*. Legislation for the abolition of *jagirdari* has been enacted in Rajasthan, Madhya Bharat, Hyderabad and Saurashtra and also in some of the smaller States in Central India. It has not yet come into effect, however, except in Hyderabad and Saurashtra. In States such as Bombay, Punjab and PEPSSU, elements of superior rights which existed have been

eliminated or are in the process of being eliminated. The amendment of Article 31 of the Constitution in 1951 cleared the way for the completion of these reforms.

6. Although the abolition of intermediary rights can be described as the completion of one important phase of land reform, two principal problems have not yet been fully solved. These relate to (1) payment of compensation to *zamindars* and *jagirdars*, and (2) establishment of the necessary revenue administration. In a number of States compensation is expected to take the form of non-negotiable bonds carrying a rate of interest and repayable within a period which may extend to 40 years. The question arises whether the compensation to be paid could serve to some extent as a source of investment in public enterprises. One suggestion which has been made is that the bonds issued to *zamindars*, while they remain non-negotiable for periods to be indicated, might be made convertible into shares in projects undertaken by the State Governments concerned or even by the Central Government. The arrangement may have certain advantages both from the side of Government and from the side of the person who converts his compensatory bonds into shares in public enterprises. The suggestion, however, needs to be further examined with reference to conditions in the principal States in which *Zamindari* has been or is expected to be abolished.

7. The question of revenue records and revenue administration in *Zamindari* and *jagirdari* areas is of paramount importance. From information which has been collected from a number of States, it is apparent that the subject needs urgent attention. In the temporarily settled areas, there has long been a framework of revenue administration which, if strengthened, will be capable of assuming new responsibilities consequent upon the abolition of *zamindari*. In most of the permanently settled areas and in the *jagirdari* areas, however, there is scarcely any revenue administration on behalf of the Government and the effective implementation of land reforms becomes a matter of some doubt. The responsibilities which a Government assumes with the abolition of *zamindari* are not confined to the collection of rent, for, important obligations relating to waste lands, forests, fisheries and other miscellaneous rights have to be accepted. We have referred to this aspect already in the chapter on the administration of district development programmes and suggest that the States concerned should give high priority to the solution of administrative problems which arise from the abolition of *zamindari* and, in particular, to the building up of sound revenue administrations.

8. A revenue administration depends, in the last resort, upon a good system of village records. In States like West Bengal, Bihar, Orissa, Rajasthan and Ajmer, there are scarcely any village records. In Hyderabad and certain other areas, over large tracts, there existed a system of village records maintained by *zamindars* and *jagirdars* through their own petty employees. These records were seldom of adequate quality and could not be fully relied upon. Records of rights and other land records become even more important at a time when rapid changes affecting land have become a normal feature of legislative activity. It would not in fact be too much to

say that in some States because of defective revenue records the implementation of reforms already enacted will remain incomplete and may even raise new problems which will come in the way of good administration.

SUBSTANTIAL OWNERS OF LAND

9. The growth of population and repeated sub-division have led to a system of distribution in land in which large estates are an exception and the vast majority of holdings are relatively small in size. Legislation for the abolition of *zamindari* and for the protection of tenants has already reduced to some extent the degree of disparity which existed in the distribution of land.

10. Information concerning the distribution and size of holdings is available only to a meagre extent..... Even in States which have an adequate system of land records, the data have to be corrected for the changes which have taken place during recent years on account of the abolition of intermediary rights or the merger of new territories. The data are also defective in that they do not distinguish between cultivated and uncultivated land and, in respect of land under cultivation, between irrigated and unirrigated land. Secondly they do not indicate the effects of the tenancy legislation of the past few years. Under this legislation large numbers of tenants have acquired either rights of occupancy or of protected tenants and, at the very least, have obtained greater security of tenure. In considering the distribution of land as it exists at present for purposes of policy, it is important to know how much land is under the direct management of owners as distinguished from that held on lease by tenants. Before making other proposals on the subject, the first recommendation which we have to make is that during 1953 all States in India should cooperate in undertaking a census of land holding and cultivation. The lines on which this census should be held and the details of the information which should be secured should be worked out by an expert group and the operations should be so planned that they do not place excessive burden on revenue administrations in the States. In this connection, it may be observed that areas in which village records and the revenue administration are not adequate will present special problems. Unless the preliminary step that we have recommended is taken, we believe that it will be difficult to give practical effect to a number of other steps which remain to be taken in the field of land reform.

11. If allowance is made for factors such as quality of land, area under tenants and the elimination of *zamindari* and *jagirdari* rights, the general picture is one of numerous small holdings, a large proportion of them being uneconomic, a small number of middle peasants and a sprinkling of substantial owners. For reasons mentioned above, it is not possible at this stage to indicate the approximate numbers in each group. It is safe to suggest, however, that substantial owners who are directly engaged in managing their land without the intervention of tenants constitute a very small number.

12. If it were the sole object of policy to reduce the holdings of the larger owners with a view to providing for the landless or for increasing the farms of those who now have uneconomic fragments, the facts at present available suggest that these aims are not likely to be achieved in any substantial measure. The question whether some limit should not be placed on the amount of land that an individual may hold has, therefore, to be answered in terms of general principles rather than in relation to the possible use that could be made of land in excess of any limit that may be set. We have considered carefully the implications of the various courses of action which are possible. It appears to us that, in relation to land (as also in other sectors of the economy) individual property in excess of any form that may be proposed has to be justified in terms of public interest, and not merely on grounds of individual rights or claims. We are, therefore, in favour of the principle that there should be an upper limit to the amount of land that an individual may hold.

13. The idea of an upper limit for land has already been given effect to in two different ways, namely, (1) as a limit for future acquisition and (2) as a limit for resumption for personal cultivation. Uttar Pradesh has, for instance, prescribed 30 acres as the limit for future acquisition. Similarly, where land is held by tenants, a land-owner may be permitted to resume up to a prescribed limit for personal cultivation. In Bombay this limit is set at 50 acres, in the Punjab at 50 "standard" acres, in Hyderabad at five times an economic holding, and in Uttar Pradesh, where the tenancy problem and the course of legislation differ from those of *ryotwari* areas, the limit for resumption is a holding of 8 acres. Although a number of States have not yet imposed limits for future acquisition and for resumption for personal cultivation, we consider that the determination of these limits is an essential step in land reform. Certain areas may, however, present special problems. It may happen, for instance, that in some States there may be a great deal of land requiring reclamation. Reclamation programmes may necessitate long period leases of comparatively fair-sized blocks of land where schemes for State farming or cooperative colonisation may be highly uneconomical or prohibitive in cost. Whether the expression 'future acquisition' should also include within its meaning the 'right to inherit' needs to be considered from the point of view of legislation for the imposition of estate duties which is now before Parliament. On this subject, therefore, at present we do not make any recommendation.

14. The question how the limit for resumption for personal cultivation or for future acquisition should be determined needs to be considered. In theory, there are five possible criteria with reference to which the limit may be fixed. Thus, the limit may be a varying multiple of (i) land revenue, (ii) value of the gross produce of land, (iii) value of net produce (or income) of land, (iv) sale value of land, and (v) lease value of land. Each of these criteria may prove useful in particular circumstances, but their limitations should be appreciated. Apart from the fact that in several parts of the country no land revenue assessment exists, different districts have been assessed at different times and on the basis of varying assumptions as to prices, yields and crop maturities. Comparisons of land revenue rates are, therefore, more valid as between different classes of

land within a district than as between different districts assessed at different times and in varying circumstances. Statements about the value of gross produce of land are generally made on rough calculations and are sometimes misleading. The only satisfactory way of calculating the value of gross produce would be to prepare fresh estimates on the basis of a standard series of prices for commodities which go into the produce estimates prepared for different areas during settlement operations. This would be a laborious procedure which could hardly be commended and, frequently, the relevant basic information would not be available. The value of net produce for an acre of land is calculated after making allowance for expenses of cultivation which may have to be borne by an owner of land as distinct from the tenant. In view of the rapid changes in tenancy conditions which have been and are taking place, it is not possible to use this criterion. On account of tenancy reforms and other factors, the average sale value of different classes of land is also a less useful criterion now than it was in the past. Moreover, a decade of high prices has somewhat distorted the picture. Similar considerations apply to the test of lease value which is further vitiated by the fact that little accurate statistical information covering a sufficient number of instances is available and also because much of the land is leased on the basis of a share in the crop.

15. In the last analysis any particular method of determining limit implies an average level of income or, in real terms, an average quantity of agricultural produce which it is proposed should become some kind of maximum for an individual agricultural family. It is sometimes suggested that the fair course would be to determine the maximum holding of land in terms of an average annual income. This would give an accurate measure of the change in the rural social structure which was sought to be brought about and would also ensure that widely different standards for reducing disparities in income were not adopted for the agricultural and nonagricultural sectors in the economic life of the country. There is force in these considerations. It has to be recognised however, that calculations of the amount of and of given quality in any area which may be expected on an average to yield a specified income are subject to so much guess-work that without much more statistical information than is at present available, there are real difficulties in applying the criterion of average income. In actual land reform operations, as the work of resettlement of displaced persons on evacuee agricultural lands shows, there must be considerable flexibility in approach and, considerations of theory apart, it becomes necessary to adopt those criteria which will serve best against the background of the tenures and revenue arrangements peculiar to a State. Within a State, of course, for its different regions, the same criteria have to be followed. As one method of determining a limit, which may often prove applicable in practical work and is here used by way of illustration, it may be useful to apply a rough and ready criterion such as, for instance, a multiple in terms of what may be regarded as a "family holding" in any given area. A family holding may be defined briefly as being equivalent, according to the local conditions and under the existing conditions of technique, either to a plough unit or to a work unit for a family of average size working with such assistance as is customary in agricultural operations. Another possible method of indicating a limit may be to propose an average

level of money income which the permissible holding may be expected to yield. The limit which may be appropriate has to be determined by each State in the light of its own circumstances but, broadly speaking, following the recommendations of the Congress Agrarian Reforms Committee, about three times the family holding would appear to be a fair limit for an individual holding.

16. Whether the principle of imposing a limit on holdings should receive retrospective effect and be applied to existing holdings raises wider issues than the limits proposed for future acquisition and for resumption for personal cultivation. The central question involved is whether, in the event of a limit being imposed, lands in excess of the limit can be acquired for consideration which falls short of fair compensation, that is, their market value at the time of acquisition. Merits of the proposal apart, we are advised that such a course would not be consistent with the provisions of the Constitution. We would suggest that the problem needs to be considered in terms somewhat different from those in which proposals are commonly made.

17. The problem of land held by substantial owners falls into two distinct parts, namely, (i) land now under the cultivation of tenants-at-will, and (ii) land under the direct management of owners. Keeping in view the limit for resumption of personal cultivation, we suggest that for areas in excess of this limit the general policy should be to enable the tenants to become owners. To achieve this object, the following measures have to be taken simultaneously. First, tenants have to be given security of tenure which could well extend to the conferment of occupancy rights. Secondly, it would be necessary to determine the principles on which (a) the price of land should be fixed and (b) payment should be made by the tenant. Depending again upon the local conditions, the most convenient course might be to fix the price of land as a multiple of its rental value, and payment might be made in instalments spread over a period. We suggest that there is advantage in the Government establishing direct contact with tenants upon whom these rights are conferred and collecting land revenue from them rather than through owners, the price of land being recovered along with the land revenue. Payment of compensation to owners of land can be made in bonds much in the manner already adopted or proposed for intermediary rights.

18. Where land is managed directly by substantial owners and there are no tenants in occupation, public interest requires the acceptance of two broad principles :

- (i) There should be an absolute limit to the amount of land which any individual may hold. This limit should be fixed by each State, having regard to its own agrarian history and its present problems. The census of land holding and cultivation, which it is proposed to hold during 1953, will give the data relevant to this decision.
- (ii) The cultivation and management of land held by an individual owner should conform to standards of efficiency to be determined by law.

It is suggested that each State should enact suitable land management legislation. Under this legislation standards of cultivation and management should be laid down. Specific obligations should be prescribed, for instance, in respect of sale of surplus produce to the Government, production and sale of improved seed, wages and conditions of living and employment for agricultural workers, investment in farm improvements, etc. The legislation should also provide for suitable machinery for enforcing the various obligations. The legislation could be applied, in the first instance, to these holdings which exceed a limit to be prescribed which may be equal to or larger than the limit for resumption for personal cultivation, and future acquisition, depending upon the conditions in a State.

19. As a practical approach to the problem of large individual holdings, it would be best to divide substantial farms which are directly managed by their owners into two groups, namely those which are so efficiently managed that their break-up would lead to a fall in production, and those which do not meet this test. For the latter category, the land management legislation should give to the appropriate authority the right to take over for the purpose of management the entire farm or such portion of it as might be in excess of the limit for resumption of personal cultivation and, secondly, the right to arrange for cultivation of lands so taken over. For the cultivation of such lands, preference could be given to cooperative groups and to workers on the lands which pass into the control of the land management authority. The proposals made above would provide for a large measure of redistribution of land belonging to substantial owners. In the legislation a date might be indicated with effect from which the law would be enforced in respect of farms in excess of the prescribed limit. Generally speaking, in order to set up the machinery for land management and to undertake the necessary survey before the law can be enforced effectively, a period of about two to three years might be necessary.

SMALL AND MIDDLE OWNERS

20. The expressions 'small' and 'middle' owners cannot be defined precisely but, for most purposes, it might be sufficient to consider owners of land not exceeding a family holding as small owners and those holding land in excess of one family holding but less than the limit for resumption of personal cultivation (which may be three times the family holding) as middle owners. In the case of small and middle owners, the social considerations which apply are of a different order from those relevant to the circumstances of the larger owners. The general aim of policy should be to encourage and assist these owners to develop their production and to persuade them to organise their activities, as far as a possible, on cooperative lines. Small owners include many who have uneconomic holdings which are also seriously fragmented. The experience of consolidation of holdings in Punjab, Madhya Pradesh and Bombay has established the value of this measure for small holders. We suggest that since the idea of consolidation of holdings is well understood by the peasants and they are prepared to meet a large part of the cost, in all States programmes for the consolidation of holdings should be expanded and pursued with vigour. The second important measure which has been taken in some States for the benefit of small holders relates to the fixation of a minimum holding below which subdivision is not

permitted. There has been no investigation yet into the practical working of measures for the prevention of sub-division below a minimum such as have been taken in Bombay and Uttar Pradesh. It is, therefore, difficult to say to what extent they have proved immediately beneficial. They are, however, sound in conception and, while they need to be observed more closely in practice, we think that they could be extended.

21. The suggestion is sometimes made that in the event of redistribution of land belonging to substantial owners, those who have uneconomic holdings should receive additional land in order that their holdings may become economic. The effect of the proposals that we have made earlier in respect of lands of substantial owners will be to confer rights which will develop into ownership mainly on those tenants and workers who are already engaged in the cultivation of lands in excess of the limit for resumption for purposes of cultivation. In the ordinary course, therefore, there may not be much land available for the purpose of enlarging the holdings of uneconomic owners. The problem of uneconomic holdings has certain wider aspects to which we shall refer later. The solution lies more in the direction of evolving a suitable system of co-operative management of the land of a village and the organisation of co-operative farming groups rather than in attempting too many little adjustments in the holdings of individual owners or cultivators of small plots.

22. Lands belonging to small and middle owners may be divided into two categories, namely, those under direct cultivation, and those leased to tenants-at-will. The problems which the former present are those of finance, technical assistance and organisation of co-operative activity. As regards the latter, two considerations are important. In the first place, any measures which are taken to protect the tenants of small and middle owners should be simple to administer and, as far as possible, the problems which they raise should be solved at the village level by the people themselves. Secondly, care should be taken to ensure that measures for the protection of small and middle owners do not operate seriously to reduce the movement of the people from rural areas into other occupations, whether in towns or in villages. The pressure on land is already heavy and is growing. Voluntary movement of villagers into other vocations has considerable advantage for the development of rural economic life, especially in conditions in which those who go out of the village for work retain their village roots and are encouraged to maintain an active sense of obligation towards the village community of which they continue to be members. There is little to be gained by treating the leasing of land by small and middle owners as examples of absenteeism to be dealt with along the same lines as lands belonging to substantial owners which are cultivated by tenants-at-will. At the same time, steps have to be taken to afford adequate protection to the tenants of small and middle owners.

TENANTS-AT-WILL

23. The central question to be considered in respect of tenants-at-will who are engaged in the cultivation of lands belonging to small and middle owners relates to the terms on which the latter may

resume land for personal cultivation. A distinction may be made between those small and middle owners who cultivate themselves and those who do not. Land could only be resumed for cultivation by an owner himself or by the members of his family. We suggest that resumption should be permitted on this ground for the number of family holdings not exceeding three which can be cultivated by the adult workers belonging to an owner's family with the assistance of agricultural labour to the extent customary among those who cultivate their own lands. A period may be prescribed—five years for instance—during which an owner may resume for personal cultivation. If he fails to do so during this period, the tenant should have the right to buy the land he cultivates on terms similar to those suggested earlier for the tenants of the larger land-holders.

24. The rights of tenants who cultivate the lands of small and middle owners need to be defined. The two principal questions to be considered relate to the period of tenancy and the rent which the tenant may have to pay. We suggest that the tenancy should ordinarily be for five to ten years and should be renewable, resumption being permitted, as suggested earlier, if the owner himself wishes to cultivate. As regards the determination of rent, in recent years in various States, rents have been steadily reduced. In Bombay the rent of agricultural land was reduced to one-third of the produce (or its value) for unirrigated lands and to one-fourth of the produce for irrigated lands. In the Punjab, rent has been reduced from one-half to one-third of the produce for lands cultivated by owners whose holdings exceed the limit prescribed for resumption of personal cultivation. The determination of rent has to be regarded essentially as a question for consideration in the light of local conditions. The essential principle would appear to be that the rent of land should be so fixed that, having regard to his expenses of cultivation and other risks, a fair wage remains for the cultivator. While it is difficult to suggest a generally applicable maximum rate of rent, over the greater part of the country, a rate of rent exceeding one-fourth or one-fifth of the produce could well be regarded as requiring special justification.

LANDLESS WORKERS

25. Schemes of land distribution are likely to confer somewhat restricted benefits on agricultural workers other than tenants. This is because in any scheme of distribution or resettlement the first claim will be that of tenants already working on lands which may be taken over from the larger owners. In view of this difficulty, the contribution which the movement for making gifts of land, which has been initiated by Acharya Vinoba Bhave, has special value, for, it gives to the landless worker an opportunity not otherwise easily available to him.

26. It would be difficult to maintain a system in which, because of accidents of birth or circumstance, certain individuals are denied the opportunity of rising in the social scale by becoming cultivators and owners of land. It is, therefore, necessary to consider the problem in terms of institutional changes which would create conditions of equality for all sections of the rural population. The essence of these changes lies in working out a co-operative system

of management in which the land and other resources of a village can be managed and developed so as to increase and diversify production and to provide employment to all those who are able and willing to work. The growth of industrialisation and of tertiary services is essential if any scheme of agricultural reorganisation is to succeed. Given this condition, whether the rural economy will expand and its techniques develop rapidly enough will depend largely upon the manner in which it is re-organised.

COOPERATIVE FARMING

27. Small and uneconomic holdings are at the root of many of the difficulties in the way of agricultural development. With the growing pressure on land, their number is increasing. Where agriculture does not require much investment, natural conditions are favourable and the cultivators are skilful and industrious, it is possible that the average yield on small farms may be higher than the average for many of the larger farms. The problem in India is to secure a large increase in production over the entire area now under cultivation. This calls for the application on a wide scale of scientific knowledge and increased capital investment in various forms. These conditions are easier to secure where land is worked and managed in fairly large units than in the form of petty and fragmented holdings. In a farm of substantial size it is possible to eliminate several wasteful operations and to ensure better planning of the use of land, including selection of crops, rotation, soil conservation, development of irrigation and introduction of improved techniques. Economies which cannot be availed of by small farms are available to large ones. By its very nature a larger unit of operation and management can secure more credit and finance and can apply these to greater advantage, can diversify its economy and can make a relatively greater contribution to the solution of the country's food problem.

28. For these reasons it is important that small and middle farmers, in particular, should be encouraged and assisted to group themselves voluntarily into co-operative farming societies. These societies may be formed on conditions such as the following :

- (i) The area under a co-operative farming society should not be less than a prescribed minimum. This could be fixed according to circumstances, as, say, four to six times the family holding in an area. It is perhaps not necessary to prescribe a maximum for a co-operative farming society;
- (ii) Preference should be given to co-operative farming societies in the matter of supplies, finance, technical assistance and marketing;
- (iii) In undertaking consolidation proceedings, preference might be given to villages in which co-operative farming societies are formed;
- (iv) Preference should be given to co-operative farming societies in leasing agricultural waste lands belonging to the Government or taken over from private owners with a view to development. Suitable assistance in bringing such lands under cultivation should also be given ;

(v) It could be provided that so long as a co-operative farming society continues, no adverse tenancy rights would accrue against those of its members who might not engage in personal cultivation. The object of this concession is not to affect in any way the rights of existing tenants (as they should enter the co-operative farming society as members) but to encourage individual small and middle owners to join together to form co-operatives.

A widespread extension of the practice of co-operation in non-farm as well as farm operations will be a major determining factor in achieving the rapid re-organisation of the village economy.

COOPERATIVE VILLAGE MANAGEMENT

29. While the extension of co-operative farming and co-operative activities generally will do much to develop the social and economic life of the village and, in particular, will benefit small and middle landholders, the scope of rural organisation has to be conceived in wider terms. We have referred already to the fact that without a basic reconstruction of the village economy it is not possible to create conditions of equality of opportunity for the landless agricultural workers. Even after the problems relating to lands belonging to substantial owners have been dealt with, there remains considerable disparity of interest between the small and middle owner, the tenant and the landless worker. Concessions to one section at the expense of another may certainly benefit a few, but intrinsically the measures which may be taken may not promote sufficiently the rapid increase of agricultural production or the diversification of rural economic life or the growth of greater local employment. The possibility of achieving greater social justice through regulation of contractual terms between different constituent elements in the village is soon exhausted. Apart from sharpening the conflict of interests within the rural community, proposals for further regulation become in effect proposals for sharing poverty. While the objective of family holdings with increasing emphasis on co-operative methods of organisation may represent the most practical method of translating into practical action the principle of 'land for the tiller', the effective fulfilment of this very principle requires that there should be a more comprehensive goal towards which the rural economy should be developed.

30. For several reasons it has become imperative that at the village level there should be an organisation deriving its authority from the village community and charged with the main responsibility for undertaking programmes of village development. In an earlier chapter we have suggested how these functions may be taken over by the village panchayat and how the panchayat may be strengthened for the purpose. In relation to land policy the role of the village panchayat becomes an extremely important one, because there are certain problems which none but the panchayat can deal with. These may be briefly mentioned :

- (1) Tenancy legislation frequently proves infructuous because of the lack of administrative arrangements for enforcing it. It is known, for instance, that entries in revenue records relating to personal cultivation are not always correct where the owners in question have a fear of losing their lands to tenants in the event of future tenancy legislation.

- (2) While it is necessary to safeguard the interests of small and middle owners and permit them to resume land for personal cultivation, some way must be found for ensuring that the tenant who is thereby displaced has land to cultivate. It would make for cumbrous arrangements if a small owner's right to resume land for personal cultivation were made subject on each occasion to the proviso that a certain amount of land must be left for cultivation with the person who happens to be his tenant. Proposals of this character have a limited value but the fact has to be reckoned with that they are very difficult to work and may cause much continuing friction and frustration in the daily life of the village community.
- (3) It is necessary that tenants, even when they are displaced by small owners, should be able to obtain at least a minimum holding for cultivation. What the minimum should be can be determined with reference to local conditions, but the limit below which, under the law, sub-division of holdings is not permitted, may be found to be a useful indication. If, for sheer lack of land, it is not possible to provide a minimum holding, then the obligation to provide work in some other form ensues.
- (4) When lands belonging to substantial owners who do not meet the standards of efficiency prescribed by the land management legislation have to be settled with new tenants, the selection has to be made by some organisation at the village level.
- (5) The cultivation of village waste lands is the responsibility of the village panchayat and for this purpose arrangements for cultivating these lands have to be made.

31. For the performance of the functions described above, the only answer appears to be that the village panchayat should become the agency for land management and land reform in the village. In other words in the case of all owners any leasing of land should be done, not directly, but through the village panchayat. Experience of the practical working of restrictions on subletting suggests that these restrictions do not work out well in practice and the need for permitting some subletting is not adequately met through the listing of a few exceptions in favour, for instance, of those who are, for any valid reasons, unable to look after their lands. In addition to being the agency through which leases of private lands belonging to small and middle owners take place, the village panchayat has also to be the body principally concerned with the management of lands belonging to substantial owners which are made available for cultivation and for village waste lands. If the village panchayat has all these functions, then it may be possible for it to provide holdings of minimum size for landless cultivators. Its capacity to do so may frequently be limited by the amount of land available in relation to the number of workers who have to be provided. This very factor suggests the need for planning development over groups of villages such as are comprised in community projects, and for vesting in the village panchayat functions which go beyond the management of those lands in the village which are not cultivated by their owners. In other

words, the conception of co-operative management has to be extended to include the entire land of the village as well as activities for creating non-agricultural employment and providing social services.

32. The system of co-operative reorganisation which will be found most feasible in practice has to be evolved by village communities out of the practice of co-operation in various directions and according to their own needs and problems. From the side of the Government what is needed is that village communities should receive sufficient guidance and assistance and, secondly, that the law should give them the means for bringing about the necessary changes in the management of land. There are at present in progress throughout the country a number of experiments in co-operative farming and in the organisation of various activities on co-operative lines. If systematic study of this experience were made, useful suggestions which could assist the progress of co-operative effort throughout the country would emerge. There is need also for an expanding programme of training and experiments in cooperative farming and co-operative organisation. For this purpose, in the Five Year Plan Rs. 50 lakhs have been provided by the Central Government.

33. The second aspect has to be dealt with mainly through the land management legislation. It is suggested that such legislation might include a provision conferring upon the village panchayat rights of management of village lands which are either lying uncultivated or are not directly cultivated by their owners. Secondly, it could be provided that if, for instance, a majority of the owners and occupancy tenants in a village wished to enter upon co-operative management of the land of the village, their decision should be binding on the village as a whole. To ensure confidence among all concerned, it could also be prescribed that those who express themselves in favour of co-operative management should as a body hold permanent rights in at least one-half of the land of the village, no individual holding being reckoned for this purpose in excess of the limit prescribed for resumption of personal cultivation.

34. The primary object of co-operative village management is to ensure that the land and other resources of a village can be organised and developed from the stand-point of the village community as a whole. The rights of ownership are determined by the land reforms legislation of a State. Even after a system of co-operative management is established, the rate of rent or ownership dividend to be allowed to an owner in respect of his land will be determined on the basis of the tenancy laws of a State. What the land management legislation enables a village community to do is to manage the entire area of a village, both cultivated and uncultivated, as if it were a single farm. According to circumstances, the actual cultivation could be arranged, as might be found feasible, in family holdings, through small groups working blocks of land in the village on co-operative lines or through a combination of arrangements adapted to the operations to be carried out. As techniques develop and the manpower requirements of occupations other than farming increase, still larger blocks of land could be worked co-operatively. According to their needs and experience, village communities will discover the arrangements which serve them best. There has to be a great deal of trial

and experiment before patterns of organisation which will best promote the interests of the rural population can be evolved. Nevertheless, it is important to work towards a concept of co-operative village management, so that the village may become a vital, progressive and largely selfgoverning base of the structure of national planning and the existing social and economic disparities resulting from property, caste and status may be obliterated.

CENTRAL ORGANISATION FOR LAND REFORMS

35. In the years following the achievement of freedom, it was natural that State Governments should endeavour to translate their programmes of land reform into action with the utmost speed. Some States carried out exhaustive enquiries before undertaking legislation. These enquiries were quite adequate for the first steps in land reform which related to the abolition of intermediary rights. Detailed information concerning the holding and cultivation of land, to which reference has been made earlier can be collected from village records. As a rule, however, such information is not available in the form and detail now required for a State as a whole or for individual districts. The stage has now been reached when new measures of land reform should be based on objective assessment of the working of measures already introduced. Since land reform affects every aspect of rural life, the evaluation of land reform programmes requires trained investigators. Within each State, therefore, there is need for some machinery for investigating and reporting upon the progress of measures of land reform. In the Central Government also there is need for an organisation which could pool knowledge and experience gained in the States and could suggest lines for further investigation. When millions of persons are affected by measures proposed by the Central Government or by the States or by political parties, it becomes a matter of the greatest importance that proposals should be tested with reference to data which have been correctly ascertained and embody experience which has been carefully evaluated. Equally, it is important to maintain a continuous record of information concerning progress in the implementation of land reform programmes adopted by the States. To assist in the process, we recommend the establishment in the Central Government of a land reforms organisation. The details of the organisation which will be needed in connection with the implementation of a national programme of such vital importance as land reform and co-operative reorganization of rural economy will need to be worked out carefully. We believe that such an organisation will prove to be of considerable value both to the Central Government and the States and will help the progress of land reforms.



SECOND FIVE YEAR PLAN

CHAPTER IX

LAND REFORM AND AGRARIAN REORGANISATION

PLACE OF LAND REFORM IN THE PLAN

POLICIES and programmes which are to be followed in different sectors of the economy during the second five year plan represent a balanced and combined approach to the central problems of economic development and social justice. Among these, measures of land reform have a place of special significance, both because they provide the social, economic and institutional framework for agricultural development and because of the influence they exert on the life of the vast majority of the population. Indeed, their impact extends much beyond the rural economy. The principles of change and reorganisation on which the scheme of land reform is based are part of a wider social and economic outlook which must needs apply in some degree to every part of the economy. They have therefore to be viewed in a somewhat larger context than that of effecting adjustments between the interests of different sections of the population which depend on land.

2. In setting out the land policy for the period of the first five year plan, while a proper emphasis was placed on the social aspect, it was pointed out that the increase of agricultural production represented the highest priority in planning over the next few years, and that the agricultural economy had to be diversified and brought to much higher levels of efficiency. These considerations have a special importance during the period of the second five year plan. In the first place, the ambitious programme of industrial development which is now being undertaken, implies large and steadily increasing claims both on raw materials and on food production. Increase in the supply of raw materials was the principal factor behind the growth of industrial production achieved during the first plan. India's ability to produce a range of agricultural commodities for which there is world-wide demand, such as tea, jute, cotton, oilseeds, and others is an element in her industrial potential which must be developed to the greatest possible extent. In recent years imports of food have been on a much smaller scale than before, but food production has yet to reach levels at which nutrition can be improved and domestic requirements are fully assured under all circumstances, and, at the same time, a margin remains to pay for imports of machinery and of industrial raw materials needed for rapid industrialisation. Moreover, with increase in population, growth of towns, cities and industrial centres, and improvement in incomes and standards of living, the internal demand for food is already increasing in volume and becoming more diverse. Equally, as explained in earlier chapters, the large outlay to be undertaken in the second five year plan can only be sustained if internal production, especially of food and cloth, is rapidly stepped up. Thus, the need to enhance the capacity of Indian agriculture to provide the surpluses needed to

support industrial development and the wider economic considerations on which the fulfilment of the plan depends both lead to the same conclusion, namely, that a substantial increase in agricultural production, diversification of the agricultural economy, and the building up of an efficient and progressive system of agricultural production are among the most urgent tasks to be accomplished during the second five year plan.

3. Against the background of these considerations, the objectives of land reform are twofold : firstly, to remove such impediments upon agricultural production as arise from the character of the agrarian structure ; and secondly, to create conditions for evolving, as speedily as may be possible, an agrarian economy with high levels of efficiency and productivity. These aspects are inter-related, some measures of land reform bearing more directly on the first aim, others to a greater extent on the second. Thus, the abolition of intermediaries and the protection given to tenants are intended to give to the tiller of the soil his rightful place in the agrarian system and, by reducing or eliminating burdens he has borne in the past, to provide him with fuller incentives for increasing agricultural production. Similarly, to bring tenants into direct relation with the State and to put an end to the tenant-landlord nexus are essential steps in the establishment of a stable rural economy. In the conditions of India large disparities in the distribution of wealth and income are inconsistent with economic progress in any sector. This consideration applies with even greater force to land. The area of land available for cultivation is necessarily limited. In the past rights in land were the principal factor which determined both social status and economic opportunity for different groups in the rural population. For building up a progressive rural economy, it is essential that disparities in the ownership of land should be greatly reduced. In view of the existing pattern of distribution and size of agricultural holdings, redistribution of land in excess of a ceiling may yield relatively limited results. Nevertheless, it is important that some effective steps should be taken in this direction during the second five year plan so as to afford opportunities to landless sections of the rural population to gain in social status and to feel a sense of opportunity equally with other sections of the community. Reduction of disparities in the ownership of land is also essential for developing a co-operative rural economy, for, co-operation thrives best in homogeneous groups in which there are no large inequalities. Thus, programmes for abolishing intermediary tenures, giving security to tenants and bringing tenants into direct relationship with the State with a view to conferring ownership upon them are steps which lead to the establishment of an agrarian economy based predominantly on peasant ownership.

4. Small and uneconomic agricultural holdings have long been the most difficult problem in the development of the rural economy. There is general agreement that it is through reorganisation along co-operative lines that Indian agriculture can become efficient and productive. During the second five year plan it is proposed to take a series of measures which will lay the foundations for co-operative reorganisation of the rural economy. Once the vast majority of cultivators become owners or virtual owners of land in their own

right, programmes for the consolidation of holdings assume a great deal of urgency both in themselves and as a stage in the development of co-operation. In carrying out these programmes sufficient experience has been gained in several parts of the country for marked progress to be achieved in this field during the second five year plan. Closely associated with consolidation is the adoption of improved land management practices. It is one of the primary aims of the national extension and community projects to help the people of each village and each area to organise themselves for greater production, to bring them technical guidance and other assistance and in particular, to assist weaker and under-privileged sections of the rural community in raising their standards. Conditions have to be created in which an increasing number of activities in rural economic life, both non-agricultural and agricultural, are undertaken through co-operative organisations. As the village is the most convenient unit for rural community development, various measures to be undertaken for developing co-operatives and panchayats and for strengthening rural economic life through the organisation of national extension services, credit, marketing and processing and village and small industries are intended to lead to the development in each area, according to its conditions, of suitable systems of co-operative village management. Co-operation in one field stimulates and supports co-operation in others. Co-operative development is a vast and growing field of constructive endeavour and, for co-operation to evoke a degree of sustained enthusiasm and effort, it is important that it should be organised with the utmost attention to efficiency in management.

5. As different phases of the land reform programme are implemented, care has to be taken to ensure that the positive aspects are especially stressed, and measures of land reform worked out with a view to increased agricultural production. From this aspect the national extension and community development programmes, and programmes for agricultural development, rural credit and marketing and others are as vital to the success of land reform as land reform is vital to their success. Naturally, while the direction may be clear, the pace and the precise content of land reform programmes have to be related closely to the conditions prevailing in each State. Land reform imposes upon the machinery of the Government large administrative responsibilities and, as pointed out later in this chapter, tasks of great complexity, to which many State administrations may not yet feel equal, have to be undertaken in the course of a few years. Almost all of them demand a wide measure of public support and understanding and much mutual adjustment within the community. There are also many intangible factors which each State has necessarily to take into account. These considerations have been kept in view during the first five year plan in the work of the Central Committee for Land Reforms, which includes members of the Planning Commission and the principal Central Ministers concerned, and reviews from time to time the progress of land reform in different parts of the country. They have also been kept in view by the Panel on Land Reform, which has assisted the Planning Commission during the past year in the study of various problems connected with tenancy reform, size of holdings, reorganisation of agriculture and Bhoojan. The proposals for land reform and co-operative development set out in the plan are therefore in the

nature of a broad common approach which has to be adapted and pursued in each State as part of the national plan with due regard to local conditions and in response to local needs.

LAND REFORMS

ABOLITION OF INTERMEDIARIES

6. A few years ago intermediary tenures prevailed over half the country. In some States, legislation for the abolition of intermediaries was enacted before 1951. Most of the work relating to the enactment of laws and the acquisition of intermediary areas has, however, been undertaken during the period of the first plan. Intermediaries have been almost entirely abolished. A few small pockets remain where further action for abolition is necessary such as temporarily settled estates in Assam, zamindaris in Rajasthan, minor intermediary tenures such as service inams and other minor inams in a number of States, and intermediary areas in some Part 'C' States such as Coorg, Kutch and Tripura. In the early stages the implementation of some of the laws was held up on account of writ petitions filed by intermediaries challenging the constitutional validity of the legislation. The Constitution was amended in 1952 with a view to resolving this difficulty.

7. The abolition of intermediaries is an essential step, but it imposes a heavy strain upon the administrative resources of State Governments. The tasks to be undertaken include the determination and payment of compensation to intermediaries, arrangements for the preparation or revision of records showing the names and holdings of tenants and the rent or revenue, which they are liable to pay to the State Government as a result of the abolition, establishment of agencies for collection of rent or revenue and for maintenance of records. Areas which intermediaries are entitled to retain have to be demarcated and arrangements made for the management and development of common lands which become the property of the State.

8. Progress was comparatively easy in the temporarily settled areas, such as Uttar Pradesh and Madhya Pradesh, where adequate records and administrative machinery existed. In the permanently settled areas of Bihar, Orissa, and West Bengal and in areas under Jagirdari settlements such as Rajasthan and Saurashtra, land records and revenue administration had to be built up almost from the beginning. Nevertheless, laws abolishing intermediary tenures have been given effect to in most of the States.

9. The general pattern of abolition of intermediaries comprises the following measures :—

- (1) Common lands such as waste lands, forests, abadi-sites etc., which belonged to intermediaries were vested in the State Government for purposes of management and development.
- (2) Home-farm lands and lands under the personal cultivation of intermediaries were generally left with them and lessees of home-farms continued as tenants under them. In some

States, however, tenants of home-farms of intermediaries were also brought into direct relation with the State and the rights of intermediaries over their tenancy lands were abolished. These include Uttar Pradesh, Madhya Bharat (jagirdari areas), Delhi, Ajmer and Bhopal. In Rajasthan and Madhya Bharat (zamindari areas) an optional right to purchase ownership was given to such tenants. In most of the States, intermediaries were not allotted any land for personal cultivation over and above lands already in their cultivating possession and included in their own home-farms. In a few States, however, such as Hyderabad and Mysore (in the case of Inams), Rajasthan, Saurashtra, Ajmer, Bhopal and Vindhya Pradesh, intermediaries were allotted lands for personal cultivation if the area already held by them was less than that specified in the legislation.

- (3) In most of the States tenants-in-chief holding land directly from intermediaries were brought into direct contact with the State with some exceptions such as Bombay (in respect of several classes of intermediaries) and in Hyderabad and Mysore (in the case of some inams). In these States, intermediaries were in some cases allotted lands held by tenants. In some States tenants possessed permanent and transferable rights and it was not necessary to confer further rights upon them. These included Assam, West Bengal, Bihar, Orissa, Bhopal and Vindhya Pradesh. There were other States such as Bombay, Uttar Pradesh, Madhya Pradesh, Hyderabad, Mysore and Delhi where tenants were required to make payments in order to acquire rights of ownership. In a few States, such as Andhra, Madras, Rajasthan, Saurashtra (bar-khali areas), Madhya Bharat, Hyderabad (jagir areas) and Ajmer, either larger rights were conferred upon tenants or their rents were reduced without any direct payment being required of them.

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10. The total amount of compensation and rehabilitation assistance payable to intermediaries is estimated to be in the neighbourhood of Rs. 450 crores. Uttar Pradesh and Bihar together account for about 70 per cent. of the total amount of compensation. As a rule, the rate of compensation has been fixed as a multiple of the net income of the intermediaries from their estates. In most States, higher multiples were allowed to persons in the lower income groups. Abolition of intermediary rights leads to increase in the amount of revenue accruing to the State. Compensation payments are financed out of such increases. Compensation is payable sometimes in cash but generally in the form of bonds which are transferable and negotiable and are also redeemable over a period which may vary from 10 to 40 years. The assessment of compensation and the issue of bonds in lieu of compensation to a large number of intermediaries has been a task of considerable magnitude. In most States, the administrative machinery had to be reinforced with a view to expediting this work. Considerable work relating to the determination and payment of compensation, however, still remains to be done. In particular, it is necessary to speed up the payment of compensation to small intermediaries and to widows and minors.

RIGHTS OF OWNERS

11. With the abolition of intermediaries the existing tenures may be broadly classified into two main categories, namely, owners who hold land directly from the State and tenants who hold land from owners. Their rights and obligations had generally been regulated under tenancy laws enacted in the various States from time to time. The bulk of the tenants had acquired security of tenure and their rents had been regulated. In many States they had also obtained considerable rights of transfer. There were, however, differences in the quantum of rights enjoyed by the various classes of tenants and often a large variety of tenures existed. On abolition of intermediaries, the multiplicity of tenures has been greatly reduced and for the most part tenants holding land under intermediaries have become owners of land. It is desirable that a fairly uniform pattern of ownership should be evolved which conforms to certain commonly agreed rights and obligations.

12. Ownership of land entails certain obligations. The most important of these concerns the use and management of land. This aspect is considered in a later section of this chapter.

In a number of States, as part of legislation relating to consolidation of holdings, measures for preventing fragmentation have been adopted. It frequently happens, however, that such measures are not adequately enforced. Provisions against the creation of fragments or their further splitting up by transfer or partition and regulation of the transfer of existing fragments are essential in the interest of agricultural development.

13. In some States, over a considerable area persons who hold land directly from the State do not possess the right of transfer. Such owners can obtain short-term loans on the security of the crop but, in the absence of alternative security, they may not be able to avail of facilities offered by co-operative credit institutions for medium and long-term loans. It is, therefore, desirable that every individual who holds land directly from the State should have the right to mortgage land in order to obtain loans from Government and from co-operatives on the security of land.

14. In some States the right to lease land has been limited to persons who suffer from some disability such as widows, minors, persons serving in the armed forces, etc. Experience suggests that complete prohibition of leases introduces a degree of rigidity in the rural economy and is difficult to enforce administratively. It was visualised in the First Five Year Plan that, to the extent leases of land are permitted, in principle it would be desirable that they should be made through the village panchayat. The practice should be encouraged whenever possible. In any event when leases are made directly they should be for minimum periods of 5 to 10 years.

TENANCY REFORMS

15. Over the years the tenancy problem grew in magnitude from three different directions. Firstly, intermediaries did not always cultivate their home-farm lands and frequently these lands were

let out to tenants. Secondly, tenants, holding lands from intermediaries, who have now come into direct relation with the State, sometimes leased lands to sub-tenants. Thirdly, in ryotwari areas a considerable proportion of land held by ryots has been cultivated by tenants.

16. In different States provisions for security of tenure have taken a variety of forms and there are large differences in detail. Broadly speaking, States may be classified into the following categories :—

- (1) States where all tenants have been given full security of tenure ;
- (2) States where the tenant has a limited security of tenure but is liable to ejection in exercise of the landlord's right to resume a limited area for personal cultivation. This is subject to the condition that a minimum area is left with the tenant ;
- (3) States where the landlord's right to resume is subject to an upper limit, but the tenant is not entitled to retain a minimum area for cultivation ; and
- (4) Other States where ejection has been temporarily stayed or where action for protection of tenants has yet to be taken.

U.P. and Delhi fall into the first category; Bombay, Punjab, Rajasthan, Hyderabad and Himachal Pradesh in the second; and Assam, Madhya Pradesh (Berar), Orissa, Pepsu and Kutch in the third. In U. P., Tenants, who were brought into direct relation with the State, were given permanent and heritable rights. The State recovers rent from them and pays compensation in the form of bonds to owners. In Delhi tenants received full ownership rights and were required to pay compensation to owners in addition to the payment of land revenue to Government; compensation being recoverable as arrears of land revenue. In Bombay a land-owner is permitted to resume half the land leased to a tenant subject to a maximum of three economic holdings, the size of the economic holding varying from 4 to 16 acres, depending upon the quality of the land. In Punjab, resumption is limited generally to 30 "standard acres" and a tenant cannot be ejected from a minimum area of 5 "standard acres" unless the State Government is able to allot alternative land from the pool of "surplus" land obtained from owners holding more than 30 "standard acres". In Hyderabad, the tenant is generally entitled to retain a basic holding except where an owner himself owns a basic holding or less. In Rajasthan generally tenants are allowed to retain a prescribed minimum holding. In Himachal Pradesh a land owner may resume upto 5 acres and the tenant is entitled to retain three-fourths of his holding. In the third category, the limit of area which may be resumed, has been set at 33-1/3 acres in Assam, 50 acres in Madhya Pradesh (Berar), 30 standard acres in Pepsu, 50 acres in Kutch and 7 to 14 acres in Orissa. In other parts of the country there are large variations, and in many cases tenants are afforded much less protection than in the States mentioned above. While summing up the position as it emerges from the enactments which have been passed, it is

necessary to recognize that there are large variations in the degree of practical implementation in different parts of the country and that even in the same State some parts of the tenancy legislation are carried out to a greater extent than others.

17. During the past few years, there have been instances in some States of large-scale ejection of tenants, and of "voluntary surrender" of tenancies. The main causes are ignorance on the part of the people of legislative provisions regarding security of tenure, possible lacunae in the law, inadequate land records and defective administrative arrangements. Most "voluntary surrenders" of tenancies are open to doubt as *bona fide* transactions. It is recommended that action should be taken to stay ejection of tenants and sub-tenants except on ground of non-payment of rent or misuse of land. Ejection of tenants and surrenders which may have taken place during, say, the past three years should be reviewed with a view to restoration wherever circumstances justify such a course. In order to discourage "voluntary surrenders" of land under undue pressure, for the future, provision may be made that surrender of land by a tenant will not be regarded as valid unless it is duly registered by the revenue authorities. In such cases the landlord should be entitled to take possession of the land only to the extent of his right of resumption.

MEANING OF PERSONAL CULTIVATION

18. In giving effect to legislation for the protection of tenants some difficulties have arisen which can be traced to the definition of the expression "personal cultivation", which is frequently used, but not always with the same meaning. In all States "personal cultivation" includes cultivation through servants or hired labourers. There are variations, however, in respect of the nature of supervision over cultivation and the mode of payment to servants or hired labourers which are prescribed by legislation. In a number of States, there are no restrictions on the kind of supervision which may be exercised. In Bombay, Saurashtra and a few other States supervision may be exercised by the owner or a member of his family but the expression 'family' is not defined. As regards the mode of payment, in Bombay and a few other States payment can be made in cash or in kind but not by way of a share of the produce, whereas in Punjab servants or hired labourers may be paid in any manner. It is desirable that a degree of uniformity in the use of the term "personal cultivation" should be introduced.

19. "Personal cultivation" may be said to have three elements, namely, risk of cultivation, personal supervision and labour. A person who does not bear the entire risk of cultivation or parts with a share of the produce in favour of another cannot be described as cultivating the land personally. The expression "personal supervision" may include supervision by the owner or by a member of his family. In order to be effective, supervision should be accompanied by residence during the greater part of the agricultural season on the part of an owner or a member of his family in the village in which the land is situated or in a nearby village, within a distance to be prescribed. As an element in personal cultivation, the performance of minimum labour, though correct in principle, presents difficulties

in practice. It is, therefore, suggested that the expression "personal cultivation" should be defined so as to provide for the entire risk of cultivation being borne by the owner and personal supervision being exercised in the manner described above by the owner or by a member of his family. When land is to be resumed for personal cultivation, however, the desirability of providing also for the third element in personal cultivation, namely, personal labour, may be considered. If the land is not brought under personal cultivation or is let out within a period to be specified, the ejected tenant should have the right of restoration.

20. Existing legislation should be re-examined in terms of the definition of "personal cultivation" set out above, and suitable action taken to confer tenancy rights on individuals who have in the past been treated merely as labourers or as 'partners in cultivation'. Because the definition of "personal cultivation" has been generally defective in the past, in a number of States crop-sharing arrangements which have all the characteristics of tenancy are not regarded as such and crop-sharers are denied rights allowed to tenants.

RESUMPTION FOR PERSONAL CULTIVATION

21. A number of difficult problems relating to tenancy legislation centre on the issue of resumption of land for personal cultivation. It is common practice to provide in the legislation that persons serving in the armed forces, unmarried women, widows, minors and persons suffering from mental or physical infirmities should be permitted to lease out land and should have the right to resume for personal cultivation when the disability ceases.

In the case of Defence Services personnel, it is of the highest importance that tenancy legislation should not place them under any handicap as compared to those who are able to reside in the village and cultivate their lands. Persons serving in the armed forces should have a feeling of security and full assurance that their interests would not be adversely affected. If they are owners of land, they should have the right to lease it; if they are tenants, they should have the right to sub-let the land. In either case their existing rights should remain intact. On retirement or discharge, Defence Services personnel should have unrestricted rights to resume land for personal cultivation from the tenant or sub-tenant as the case may be.

22. On general grounds, it is accepted that resumption of land for personal cultivation should be permitted. In the First Five Year Plan it was proposed that the limit of resumption for personal cultivation should be set at three times the family holding. Resumption was to be on grounds of personal cultivation only and was to be limited to the area which the adult workers in a family could bring under cultivation. In implementing this recommendation over the past three years, it has been observed that this approach calls for safeguards for reducing the risk of large-scale ejection of tenants. The practical question which arises is, how the interest of an owner who wishes to cultivate personally and of a tenant who may be deprived of his living on account of resumption, should be reconciled. Limits to the area which can be resumed have been prescribed in a large number of States. Below the level of what may be prescribed as the ceiling, two sets of problems arise, namely, those concerning

small owners who may have less than a family holding and those concerning owners whose area is in excess of one family holding but less than the ceiling limit.

23. The economic circumstances of small owners are not so different from those of tenants that tenancy legislation should operate to their disadvantage. It is desirable that a small owner wishing to resume land for personal cultivation should be permitted to do so. At the same time, it is difficult to disregard the position of the tenant. There is a consensus of opinion that owners with very small holdings should be permitted to resume their entire area. The limit may be set at what is described as a "basic holding". The expression "basic holding" is employed in legislation relating to the prevention of fragmentation which generally defines the minimum area needed for profitable cultivation. For practical purposes it may be convenient to assume that a family holding is made up, say, of three "basic holdings". Thus, owners with less than one-third of a family holding, may be free to resume their entire area for personal cultivation. As regards owners whose holdings lie between a basic holding and a family holding, the recommendation is that they should be permitted to resume for personal cultivation one-half of the area held by the tenant, but in no event less than a basic holding. Where tenants are left without any land or with area smaller than a basic holding, the suggestion is that the Government should endeavour to find land for them so as to bring the tenancy to the level of a basic holding. To an extent this effort would be facilitated when ceilings are imposed and areas in excess of the ceiling become available.

24. In the case of owners whose holdings fall between one family holding and the limit prescribed for resumption for personal cultivation, the main consideration is that a minimum area should always be left with the tenants. What this minimum should be would depend upon the area of land which an owner has under personal cultivation. It is proposed that—

- (1) where the land-owner has under his personal cultivation land which exceeds a family holding but is less than the ceiling limit, he may have the right to resume land for personal cultivation, provided that his tenant is left with a family holding and the total area obtained by the owner together with the land already under his personal cultivation does not exceed the ceiling;
- (2) if the land-owner has less than a family holding under his personal cultivation, he may be allowed to resume one-half of the tenant's holding or an area which, together with land under his personal cultivation, makes up a family holding, whichever is less, provided that the tenant is left with not less than a basic holding.

25. It is desirable that the area which the land-owner is entitled to resume should be demarcated as speedily as possible. A reasonable period, say, six months, should be prescribed within which the landowner should apply for such demarcation and the resumable and non-resumable areas should be determined by revenue authorities in an equitable manner. In areas in excess of the limit of resumption for personal cultivation, tenants should have continuing and heritable possession. They should also have limited rights of

transfer which would enable them to obtain loans on the security of land from Government and from co-operative societies. Tenants of lands liable to resumption for personal cultivation should have heritable (but not permanent) rights and the right to make improvements. It is also desirable to prescribe a period within which the right of resumption may be exercised so that thereafter rights of ownership may be conferred on the tenants. For this purpose, the period of five years contemplated in the First Five Year Plan appears to be sufficient. In the case of small owners it is not necessary to prescribe a period during which resumption for personal cultivation should necessarily take place.

REGULATION OF RENT

26. In the First Five Year Plan it was stated that a rate of rent exceeding one-fourth or one-fifth of the produce should be regarded as requiring special justification. Progress in the regulation of rents has been uneven and in several States legislation lags behind. Considerable variations exist at present. Thus, in Rajasthan and Bombay the maximum rent has been fixed at one-sixth of the produce; in Delhi, Ajmer and in certain cases in Assam and Hyderabad at one-fifth; in Orissa, Himachal Pradesh, parts of Mysore and in certain cases in Assam, Hyderabad and Vindhya Pradesh at one-fourth; in Punjab, Pepsu, parts of Mysore and in certain cases in Kutch at one-third; and in Bihar at 7/20th of the produce. At the other end are the rates of rent prevailing in Madras and West Bengal. In Madras the rent is regulated in the districts of Tanjore and Malabar only. In Tanjore the rent amounts to 60 per cent. of the gross produce of the principal crops and in Malabar it is generally one-half the net produce. In West Bengal a crop-sharer has to give 40 per cent. of the produce if he meets the cost of cultivation and 50 per cent. if the landlord meets the cost. In some States, as in Andhra, rents have not been regulated at all. It is necessary that, as early as possible, the rents should be brought down to the level recommended in the First Five Year Plan. It would also be desirable to provide for the commutation of produce rents into cash rents. In addition to the usual form of regulation of rents it may be useful also to fix the maximum rent as a multiple of land revenue.

RIGHTS OF OWNERSHIP FOR TENANTS

27. It is an agreed objective that early steps should be taken to enable tenants of non-resumable areas to become owners of their holdings. Progress in this direction has been slow. As an immediate measure, it is recommended that all tenants of non-resumable areas should be brought into direct relationship with the State. In this context reduction of rents has high priority. Once rents are brought down to reasonable levels it is important that each State should have a programme for converting tenants of non-resumable areas into owner and putting an end to vestiges of tenant-landlord relationship. In Uttar Pradesh and Delhi, stated earlier, all tenants have been brought into direct relationship with the State. In other States the question has been approached in two different ways. In legislation enacted in Madhya Pradesh, Punjab, Hyderabad, Madhya Bharat, Rajasthan and a few other States, tenants have been given an optional right of purchase, but in two States (Hyderabad and

Himachal Pradesh) the Government has also taken power to establish direct relationship with tenants. It has been observed that where rights of purchase are optional they are scarcely exercised. One of the main reasons why tenants are unable to buy out landlord's rights is that they do not have a surplus from which to pay.

28. As suggested above, it appears desirable to go beyond giving an optional right of purchase and instead to take steps to bring all tenants of non-resumable areas into direct relationship with the State. This was visualised in the First Five Year Plan which suggested that for areas in excess of the limit for resumption the general policy should be to enable tenants to become owners. If this course is followed, three possibilities exist :

- (1) the State recovers rent and finances payments of compensation to owners,
- (2) besides land revenue the State recovers instalments of compensation from the tenants, and
- (3) the State recovers land revenue and tenants pay instalments of compensation directly to owners.

In the first and the second alternatives, the State will issue compensatory bonds which may be redeemable over, say, a period of 20 years. If the first alternative is adopted, the compensation would be based upon the increase in the income of the State Government that is, the difference between the land revenue payable by the owners and the fair rent payable by the tenants who are brought into direct contact with the State. This method raises certain difficulties on account of the fact that rent levels vary a great deal and are likely to be progressively reduced. A firm basis for determining the compensation may not thus be available. The third alternative leads to a degree of uncertainty on account of the fact that tenants may default in the payment of instalments. On the whole, therefore, the balance of advantage appears to lie in favour of the second of the three methods set out above. If, however, the burden of payment falling upon the tenant is not to be too excessive, it would be necessary to ensure that the aggregate of the annual payment in the form of land revenue and the instalments of compensation does not exceed the level of rent, recommended in the Plan, that is, one-fourth or one-fifth of the total produce. It is contemplated that the aggregate amount of compensation and interest would be fully recovered from the tenants and would throw no additional financial burden upon State Governments.

29. In assessing the progress made in the transfer of ownership to tenants, it has been difficult during the first five year plan to obtain precise information. In this respect regular annual returns need to be compiled in the States.

DISTRIBUTION AND SIZE OF HOLDINGS

30. The First Five Year Plan has accepted the principle that there should be an absolute limit to the amount of land which an individual may hold. It was suggested that this limit should be fixed by each State having regard to its own agrarian history and its present problems. Attention was drawn to the lack of reliable information concerning the distribution and size of holdings and it

was proposed that a census of land holdings and cultivation should be undertaken. Following this recommendation State Governments were requested in January 1954, to undertake such a census. It was agreed that in respect of areas where annual village records are maintained, the census should be conducted generally through the revenue agency of the State Government on the basis of complete enumeration of the data contained in the village records supplemented by such other inquiries as might be necessary. To expedite the census it was later agreed at an inter-State conference held in November, 1954, that State Governments could, if they felt necessary, restrict the census to holdings of 10 acres and above. For areas where annual village records are not maintained sample surveys were proposed.

31. The main concepts employed in the census were the following :

(1) The census related to agricultural land comprised in owners' holdings, agricultural land being defined as the cultivable area comprised in a holding, including groves and pastures. Unoccupied area such as forest land and other uncultivable land, was to be excluded. Land held in urban areas was also outside the scope of the census.

(2) The expression 'area owned' was defined so as to include lands held by owners as well as those held under occupancy (permanent and heritable) rights. Land owned by a person 'A', but held under rights of occupancy by a person 'B' was thus included in 'B's holding and excluded from 'A's holding. It was further agreed that persons who did not possess permanent and heritable rights *de jure* but enjoyed them for all practical purposes, should, also be treated as owners. Thus, lands held by protected tenants in Bombay have been treated as area owned.

(3) The entire agricultural land held by a person as owner throughout the State constituted a single holding. In the case of joint holdings, the share of each co-sharer was treated as a separate holding.

(4) Area under "personal cultivation" was defined as the difference between 'area owned' and 'area leased'. The 'area leased' represents land let out to a tenant in which he has not acquired permanent and heritable rights.

32. In carrying out any large scheme of land reform, differences in quality of land have to be reduced to some common measure. Following the experience gained in the resettlement of displaced persons in Punjab and Pepsu, where more than half a million families were settled on about 5 million acres of land with due regard to the rights and quality of land abandoned by them in Pakistan, States were requested to work out suitable formulae for "standard acres". Lands of different qualities in each State could then be valued in terms of the approved "standard acre". Thus, a "standard acre" is an acre of land of a given quality to which other classes of land can be related for purposes of valuation. In some States the "standard acre" has been determined with reference to the productivity of land in terms of yields recorded at settlements or other available data ; in others, in relation to the class of irrigation

or in terms of a given amount of land revenue assessment or rent rates. Sometimes more than one criterion has been used in combination. Being related to particular States or regions further study would be needed before attempting to use "standard acres" for different areas as a basis for inter-State or inter-regional comparisons. Within a State or a region, however, a scheme of valuation such as most States have now evolved is an essential tool for implementing a programme for resettlement and redistribution of land. At some future date it may be possible to undertake investigations leading to the evolution of a "standard acre" for the entire country to which State or regional "standard acres" can be related for purposes of comparison.

33. The census of land holding and cultivation has been carried out in 22 States. The data generally relate to the year 1953-54. In 10 States it has been based on complete enumeration of all holdings namely, Andhra, Bombay, Madhya Pradesh, Madras, Hyderabad, Madhya Bharat, Saurashtra, Ajmer, Bhopal and Kutch. In 7 States the census has been based on complete enumeration but was restricted to holdings of 10 acres and above, namely, Punjab, Pepsu, Mysore, Coorg, Delhi, Himachal Pradesh and Vindhya Pradesh. In Uttar Pradesh, where annual village records are maintained, the State Government decided to have a sample survey as the revenue staff was pre-occupied with work relating to consolidation of holdings. In Bihar, Orissa, Rajasthan and Travancore-Cochin, where annual village records are not fully available, sample surveys were undertaken. In Assam and West Bengal the State Governments had earlier collected some data regarding land holdings. West Bengal has already enacted legislation and Assam has passed a Bill for imposition of ceilings. In Jammu and Kashmir also, where a ceiling had been imposed earlier, a special census was not considered necessary. In Manipur and Tripura, due to difficulties of terrain and lack of personnel, the proposal for a census of land holdings and cultivation was dropped. For 20 States the results of the census have become available and reports from other States are shortly expected.

34. The data collected relate to size and distribution of (a) holdings classified according to area owned and (b) holdings classified according to area under personal cultivation. The data which have been reported are provisional. For most States information is available both in ordinary acres as well as in standard acres.....
.....In due course it is proposed to publish a special report on the results of the census.

CEILING ON AGRICULTURAL HOLDINGS

35. The principle that there should be an absolute limit to the amount of land which an individual may hold was commended in the First Five Year Plan. The census of land holdings and cultivation has made available to States a considerable body of information for implementing proposals for the imposition of ceilings. The data thrown up by the census have to be studied carefully before detailed schemes can be worked out. The general lines on which

the problem may be approached are set out in this chapter ; necessarily, in terms of these recommendations details of policy would have to be formulated carefully by each State. The principal questions for consideration are :

- (a) to what lands ceilings should apply,
- (b) the levels at which the ceiling may generally be fixed,
- (c) what exemptions should be made,
- (d) steps necessary to prevent *mala fide* transfers,
- (e) the rate of compensation for lands which are acquired, and
- (f) redistribution of lands which are acquired.

36. The imposition of a ceiling has two aspects, namely, (1) ceiling on future acquisition and (2) ceiling on existing holdings. A ceiling on future acquisition exists in U.P. at 30 acres, in Delhi at 30 standard acres, in Bombay at 12 to 48 acres depending upon the class of land, in West Bengal at 25 acres, in Hyderabad at three family holdings, in Saurashtra at three economic holdings and in Madhya Bharat at 50 acres. In other States the imposition of the ceiling on future acquisition needs to be expedited.

37. It is proposed that during the second five year plan steps should be taken in each State to impose ceilings on existing agricultural holdings. The ceilings would apply to owned land (including land under permanent and heritable rights) held under personal cultivation, tenants being enabled to acquire rights of ownership on lines indicated earlier.

38. An important question which has to be considered is whether the ceiling should apply to holdings of individuals or to holdings of families. In favour of the latter proposal, the main consideration is that in agriculture the appropriate unit is the family rather than the individual. From this aspect, a Committee of the Panel on Land Reform set up by the Planning Commission has recommended that the ceiling should apply to the total area held by a family, the expression "family" being deemed to include husband, wife, and dependant sons, daughters and grand-children. On the other hand, in the census of land holdings and cultivation the entire agricultural land held by a person in a State was taken to constitute a single holding, and in the case of joint holdings, the share of each co-sharer was treated as a separate holding. Since land census records, along with affidavits and other returns which may be obtained, will generally be the basis for carrying out the policy of ceilings in different parts of a State, there would appear to be administrative advantages in adopting the view taken in the census. Against this has to be set the consideration that thereby the area available for redistribution would be smaller.

39. Whichever course is adopted, it is important that suitable action should be taken in respect of *mala fide* transfers of land. If individual holdings are taken as the basis for the enforcement of ceilings, there would be greater scope for *mala fide* transfers and special measures would need to be devised to deal with the problem. It is necessary that each State should give urgent attention to the effect of malafide transfers made during the past two or three years with the intention of circumventing ceilings on holdings and should

consider action needed to prevent such transfers in the immediate future. Transfers of land which have already taken place should be reviewed. In respect of lands, if any, retained by a transferor the question should be considered whether the ceiling should be determined as if the transfer had not taken place. In respect of future transfers also, States have to take steps to prevent transactions of a *mala fide* character.

LEVEL OF CEILING

40. In determining the level at which the ceiling should apply there is need for some convenient unit which could be indicated in a general way and later worked out in detail for different areas. In the First Five Year Plan it was suggested that for this and other purposes multiples of what may be regarded as a "family holding" in any given area may be used. A family holding may be considered from two aspects, namely, (a) as an operational unit, and (b) as an area of land which can yield a certain average income. In the First Five Year Plan, a "family holding" was described as an area equivalent, according to local conditions and under existing conditions of technique, either to a plough unit or to a work unit for a family of average size working with such assistance as is customary in agricultural occupations. The income from a given area of land depends on the crops grown, the level of agricultural efficiency and the amount of investment which is made. A given area of land may yield different incomes to different individuals, depending on their skill, capacity and resources. As improved agricultural practices are adopted and agriculture becomes more efficient and diversified, income per unit of land should increase steadily. Thus, it is difficult to correlate a family holding to a given level of money income adjusted to a supposed level of prices. The balance of convenience, therefore, lies in favour of each State specifying according to the conditions of different regions, classes of soil, irrigation, etc., the area of land which may be declared to be a family holding. The practical application of the concept of family holding is not without its difficulties and it might be of value to States if a small group of experts with practical experience of settlement and revenue work could study the subject further.

In view of the fact that only small fraction of agricultural holdings can be described as large holdings, it will be convenient to place the ceiling at about three family holdings. If the ceiling is determined with reference to individual holdings, it might not be necessary to take further account of the number of members in an individual owner's family. On the other hand, if the ceiling applies to the area held by a family, it would be necessary to prescribe some method for taking account of the number of members in a family. According to its social conditions and other relevant factors, each State may determine whether the ceiling should apply to individual holdings or to holdings of families and, especially in the latter event, the basis on which the size of the family should be allowed for in the application of the ceiling. For instance, the Committee of the Panel on Land Reforms to which reference has been made above was of the view that where the number of members of a family is larger than five, the ceiling of the family holding may be raised to a maximum of six family holdings.

EXEMPTIONS FROM THE CEILING

41. While determining the general ceiling on agricultural holdings in a State, it will also be necessary to consider the categories of farms to which the ceiling need not apply. Three main factors could be taken into account in deciding upon exemptions from the purview of the ceiling, namely,

- (1) integrated nature of operations, especially where industrial and agricultural work are undertaken as a composite enterprise,
- (2) specialised character of operations, and
- (3) from the aspect of agricultural production the need to ensure that efficiently managed farms which fulfil certain conditions are not broken up.

If these considerations are kept in view, there would appear to be an advantage in exempting the following categories of farms from the operation of ceilings which may be proposed :

- (1) tea, coffee and rubber plantations ;
- (2) orchards where they constitute reasonably compact areas ;
- (3) specialised farms engaged in cattle breeding, dairying, wool raising, etc. ;
- (4) sugarcane farms operated by sugar factories ; and
- (5) efficiently managed farms which consist of compact blocks, on which heavy investment or permanent structural improvements have been made and whose break-up is likely to lead to a fall in production.

In the nature of things these are general suggestions which should be adapted to the needs and conditions of each State. For instance, in those parts of the country where culturable wastelands are available and a sufficient number of cultivators are not always easy to obtain, a ceiling may not be necessary at this stage or may be set at a higher level than that envisaged here. Similarly, there may be areas in which the level of the ceiling may be lower because of the high density of population.

COMPENSATION

42. The basis on which compensation should be paid to owners whose areas are acquired and the basis on which the price of land should be recovered from persons to whom allotments are made are important questions of policy to be considered by each State Government in the light of its conditions. As regards the former, generally speaking, it will be convenient for State Governments to issue compensatory bonds redeemable over a period of, say, 20 years. The compensation to be paid to owners may be determined either as specified amounts related to different classes of land or in terms of a multiple of land revenue or in such other manner as may be considered feasible. As regards the price to be recovered from persons to whom lands are given, it will be necessary to prescribe the amounts to be recovered and the period over which instalments may be spread. It would be desirable to ensure that the total annual burden falling on cultivators to whom lands are allotted does not exceed the fair level of rent recommended earlier, that is, one-fourth

or one-fifth of the gross produce. If land reform operations are organised in the manner suggested above, it is envisaged that the aggregate amount of compensation and interest would not throw any additional liability on State Governments.

SCHEMES OF RESETTLEMENT

43. In the settlement of lands acquired in consequence of the application of ceilings, tenants displaced as a result of resumption of land for personal cultivation, farmers with uneconomic holdings and landless workers should receive preference. Settlements should be made as far as possible on co-operative lines. Farmers with uneconomic holdings below the basic level should be admitted into co-operatives constituted with surplus lands if they also agree to pool their lands. In such cases the tenants should not have the right to claim partition of the surplus lands which are allotted to co-operatives.

44. The problems of landless workers which have to be considered in connection with land reform, are discussed in chapter XVI. It is recognised that with the existing pressure on land only a small proportion of agricultural workers can be settled on land. Nevertheless, for reasons of social policy no less than those of economic development, it is important that while the national economy develops and offers wider opportunities for employment to agricultural workers and others, some positive relief within the rural economy is given to a section of the population which has long suffered from disabilities and has been denied minimum social and economic opportunity. It is, therefore, recommended that in each State, after the data relating to the census of land holding and cultivation have been studied and the areas likely to become available assessed, detailed schemes for the resettlement on land of agricultural workers should be drawn up. Bhoojan lands to the extent they are made available may also be brought into the scheme for the settlement of surplus lands indicated above.

45. While special personnel for organising the resettlement of landless workers will be required, the resources needed for development should be provided from agricultural, national extension and community development, village industry and other programmes for which provision has been made in the Plan. The extent to which such resources will be available will, however, have to be further examined. It would be desirable to set up in each State a special board, including non-official members, for advising on resettlement schemes, for landless workers and reviewing progress from time to time. It would also be useful to have a similar board at the national level so that questions of policy and organisation and the progress of land resettlement schemes in the country as a whole can be reviewed.

46. In this connection, reference may be made to the Bhoojan movement. So far over 4 million acres of land have been collected by way of gift for the rehabilitation of landless workers and about 300,000 acres of land have been distributed. State Governments are passing laws to facilitate redistribution of Bhoojan lands.

AGRARIAN REORGANISATION

47. The progress of tenancy reform as well as the imposition of ceilings on agricultural holdings will lead to a substantial increase in the number of small peasant owners. In eliminating rent receiving interests and reducing the burden on the tiller of the soil land reform paves the way for the reconstruction of the agrarian economy. As has been explained earlier, land reform programmes and measures for agrarian reorganisation are parts of the same integrated approach. Land reform cannot succeed without considerable extention of credit facilities and without a programme for eliminating the weaknesses which arise from uneconomic and fragmented holdings and deficiencies in the use and management of land. The problem of agricultural credit in relation to land reform is considered in the next chapter. Here it is proposed to review briefly the four main aspects of agrarian reorganisation, namely, (1) consolidation of holdings, (2) land management practices, (3) development of co-operative farming, and (4) development of co-operative village management as the objective towards which the village economy is to be reorganised.

CONSOLIDATION OF HOLDINGS

48. In the First Five Year Plan it was urged that in all States programmes for consolidation of holdings should be expanded and pursued with vigour. The advantages of consolidation of holdings are well known. Consolidation saves time and labour, facilitates improvement of land through irrigation as well as dry farming practices provides an opportunity for replanning individual holdings and the village *abadi* and providing roads and other amenities. Appreciable progress has, however, been made only in a few States. By the end of March, 1955, in Punjab over 4 million acres of land had been consolidated, in Madhya Pradesh 2.5 million acres and in Pepsu over a million acres. In Bombay and Delhi 1060 and 210 villages respectively had been consolidated. In Uttar Pradesh consolidation is in progress in 21 districts. Thus, while there is growing interest in almost all States in programmes of consolidation of holdings, much more needs to be done. In national extension and community project areas consolidation of holdings should be undertaken as a task of primary importance in the agricultural programme. Plans of several States for the second five year plan include provisions for consolidation of holdings.

49. Consolidation programmes have been in operation in different parts of the country for more than a generation and there is no real difficulty in adopting the experience of States which have advanced in this field to the conditions of other States. The Planning Commission is engaged in a comparative study of methods and solutions which have been evolved in different parts of the country for various problems connected with consolidation of holdings with a view to making the best existing experience on the subject more generally available.

LAND MANAGEMENT PRACTICES

50. In the First Five Year Plan the principle was commended that in the cultivation and management of land, individual owners should conform to standards of efficiency determined by law. In

their application, these standards were thought of, in the first instance, in relation to large holdings. In the context of the second five year plan standards of efficiency and management have to be conceived from a more general standpoint. All agricultural holdings, irrespective of size, should be efficiently managed. From this aspect the subject has been studied in some detail by a committee of the Panel on Land Reform. The main recommendations which have emerged from this study, which we commend, are as follows:

- (1) All cultivators have an obligation to maintain reasonable standards of production and to preserve and develop the fertility of the soil. Land management legislation should provide the necessary incentives and sanctions for the performance of this obligation. Such legislation, however, is not to be viewed as a means of coercion in isolation from other factors essential for the maintenance of efficient production. Prescription of standards should be linked with the fulfilment of certain conditions such as security of tenure, consolidation of holdings, progressive development of co-operation and Government assistance in the provision of financial resources, technical guidance and supplies.
- (2) Land management legislation should provide for standards of efficient cultivation and management which will permit objective, qualitative judgments. A list of factors to be taken into account in judging the quality of management of a farm or a holding worked out by the Committee is given in Annexure I to this chapter. On the basis of these factors as adopted to local conditions, it should be possible in any village or in any area to classify farms according to the quality of management into suitable grades, for instance, two grades above and two below the average. While farms which fall into the first two categories should be given suitable encouragement and recognition, steps should be taken to ensure that those falling below the average are assisted in improving their standards.
- (3) Sanctions should be provided in the legislation for the fulfilment of certain obligations such as (a) for large and medium holdings, the bringing of cultivable waste lands under cultivation within a reasonable period, (b) measures relating to levelling, bunding and fencing, maintenance of irrigation channels, control of insects and diseases and eradication of weeds and terracing of fields, and (c) use of improved seeds, composting of farm refuse etc.
- (4) While land management legislation has to apply to all farms, with a view to gaining experience and evolving suitable methods it may be applied in the first instance in each State to selected national extension and community project areas.
- (5) At the village level, the implementation of the legislation should be undertaken generally through village panchayats, but suitable arrangements for supervision will be necessary.

51. These are broad principles which might guide land management legislation. Details of application have to be carefully worked out by each State with reference to its conditions and priorities. Effective arrangements for land management will be an important factor in increasing agricultural production and conserving natural resources and in national extension and community project areas special attention should be given to them.

CO-OPERATIVE FARMING

52. There is general agreement that co-operative farming should be developed as rapidly as possible. The practical achievements in this field are, however, meagre. The main task during the second five year plan is to take such essential steps as will provide sound foundations for the development of co-operative farming, so that over a period of 10 years or so a substantial proportion of agricultural lands are cultivated on co-operative lines. Targets for cooperative farming to be achieved during the second five year plan are proposed to be determined in the course of the first year of the plan after discussing with individual States and reviewing the developments and experience gained so far. These targets will be related closely to and dovetailed with the targets of agricultural production and the programme of national extension and community project areas.

53. The question is sometimes raised as to what precisely is meant by cooperative farming. Co-operative farming necessarily implies pooling of land and joint management. At this stage of development, however, considerable flexibility is needed in the manner in which lands may be pooled and operated in cooperative units. A variety of forms of organisation can be considered and in different situations, different combinations of arrangements are likely to yield the best results. Thus, for the pooling of land any one of the following methods may be adopted either by itself or in combination with some other form :

- (1) the ownership of land may be retained by individuals but the land may be managed as one unit, the owners being compensated through some form of ownership dividend,
- (2) the land may be leased to the cooperative society for a period, the owners being paid agreed rents or rents prescribed by law, or
- (3) ownership may be transferred to the cooperative society but shares representing the value of land may be given to individuals.

Within a cooperative unit different forms of operation can be conceived of. Thus, the farm as a whole may be managed as a single unit for all purposes or for some selected purposes. Groups of families may form sub-units within the cooperative farm. Or, as is likely, in the first stage of cooperative development there may be family holdings supplemented by joint work for specific purposes. Considerable practical experience has to be gained in carrying out cooperatively agricultural and other activities under different conditions and an attitude of experiment should be maintained in all matters of detail. The effort should be to work out the best solutions

through systematic study and observation and make them known as widely as possible so that peasants may adapt them readily to their own conditions.

54. In the First Five Year Plan a number of suggestions were made for encouraging and assisting small farmers to group themselves voluntarily into co-operative farming societies. Planned experiments were recommended with a view to evolving suitable methods and techniques of cooperative farming under Indian conditions. State Governments were requested later to draw up phased programmes for cooperative farming. On the whole, little action has been taken in these directions. In most States there are groups of individuals who have come together to form cooperative farming societies. A few of these societies have been successful, but many of them have experienced practical difficulties for which they have not always been able to secure the necessary guidance. The result is that after a time efforts which begin with enthusiasm are given up as failures. A close study in the Indian setting, of failures equally with successes, which occur in efforts to develop cooperative farming, is likely to indicate directions in which effective solutions may be found. With this in view the Planning Commission arranged through the Programme Evaluation Organisation for a first hand study of 23 selected cooperative farming societies in 13 different States. These studies have provided valuable information and a special report on the subject will be published in the near future.

55. There are at present about a thousand cooperative farming societies functioning in different parts of the country. In any programme for cooperative development these societies claim the first attention on the part of the staffs of cooperative and agriculture departments and extension workers. The higher the proportion among these societies which are enabled to succeed, the greater will be the incentive to others to form cooperative farming societies.

56. When operations for the consolidation of holdings take place, an effort should be made to educate the people in the advantages of cooperative farming so that, to the extent possible, those who wish to join together in cooperative farming societies may have their lands consolidated in one block or in a small number of compact blocks. Cooperative farming societies formed by voluntary groups should receive special assistance from resources made available under agricultural production and other programmes. In national extension and community project areas, in particular, facilities such as the following can be readily provided :—

- (1) Credit from Government or from cooperative agencies and preference generally in financial assistance from the Government for approved agricultural programmes ;
- (2) preference in the supply of improved seeds, fertilizers and materials for local construction ;
- (3) facilities for consolidation of lands comprised in a cooperative farm ;
- (4) preference in the grant of leases of lands reclaimed by the Government, culturable waste lands, lands whose management is assumed by the Government and lands under the management of the village panchayats ;

- (5) provision that after a cooperative farming society is formed and so long as it continues and is managed in accordance with the conditions prescribed under the law, no new rights adverse to the interest of its members will accrue. Where land is held by tenants with permanent rights, it is for them to elect to become members of a cooperative farming society. In respect of land under the cultivation of a tenant who does not possess permanent rights, an owner may join a cooperative farming society if the tenant is also agreeable to becoming a member of the cooperative farm;
- (6) technical assistance of personnel in farm operations, marketing, preparation of production programmes, etc.;
- (7) technical or financial assistance in developing non-agricultural employment for members of the cooperative farming society and others associated with them, as in cottage industries, dairying and horticulture, etc.
- (8) subsidy for managerial expenses for a limited period wherever desirable.

Care should be taken to ensure that the concessions are extended to genuine societies only and do not lead to the formation of mushroom societies which are wound up after involving State Governments in loss.

57. It would be desirable to select, as experimental or pilot projects, one or two cooperative farms in each district and later in each national extension and community project area. The activities in these projects should be closely observed and recorded and the aim should be through work in these projects to evolve better methods of management and organisation. Later, these farms should become practical training centres for cooperative, agricultural and other extension workers.

58. Opportunities for developing cooperative farming on a large scale will increase when, with the imposition of ceiling on agricultural holdings, some surplus areas become available. As suggested earlier, settlements on these lands should, as a rule, be made on cooperative lines.

59. In tribal areas where communal ownership is still the rule, special steps should be taken to develop agriculture along co-operative lines.

60. Holdings which are below the basic or the floor limit constitute one of the most difficult problems in the re-organisation of agriculture. If these holdings are grouped into larger units of operation through cooperative activity the economies and advantages of large-scale organisation become available, larger financial resources for agricultural development can be provided and the volume of employment can be increased. The general aim should be to bring below basic holdings increasingly into cooperative pools. As a first step, where possible, surplus lands and other lands available in a village may be regrouped into cooperative farming units. Those whose holdings are below the floor limit should be admitted as members if they agree to put their lands into

the pool. It is also desirable that at the time of consolidation of holdings lands belonging to persons holding very small pieces of land should be located as near as possible to pooled lands so that cultivators who may not join cooperative farms immediately may find it convenient to do so at a later stage. Cooperative activity in one form promotes cooperation in other ways as well. It is necessary, therefore, that cooperation in non-farm activities should be promoted as a step preparatory to cooperation in cultivation.

61. In implementing a programme for the development of cooperative farming it is also important to emphasise the need for widespread training. In institutions for cooperative training special courses in cooperative farming, both theoretical and practical should be organised. Extension workers and officials of agriculture departments should also receive short periods of training in cooperative farming, including problems of management, organisation and accounts and, above all, they should become fully familiar with the human relationship aspect of cooperative development.

PATTERN OF VILLAGE DEVELOPMENT

62. With the growth of cooperative farming societies and the development of cooperation in various non-farm activities, the rural economy should become stronger and there should be a steady increase in production and rural incomes. There are several reasons, why, in Indian conditions, it is desirable that the aim of policy should be in the direction of making the village the primary unit of management in agriculture and in many other economic and social activities which bear closely on the welfare of the rural people.

63. As explained earlier, for cooperative community development, under present conditions, the village is the most convenient unit. Some villages may be too small and some too large, but with the reorganisation of village boundaries which has been recommended in the Chapter on District Development Administration, a large proportion of villages will provide sizeable units for achieving economies of scale and organisation in agricultural production. Cooperative village management assumes that the ownership of land belongs to peasants. With the progress of land reform the number of owners within the village community will increase and disparities in the ownership of land will be reduced. But in each village community, apart from artisans and others engaged in non-agricultural activities, there will be a section of the population dependent on agriculture who have practically no share in the ownership of land. Theirs is an important problem to which solution has to be found, specially since, in effect, as full-time workers, they are surplus to the rural economy.

64. To be able to provide a diversity of occupations within and outside agriculture, the village economy itself has to develop new techniques. Rapid technical change, including the utilisation of power and of improved equipment, thus becomes a basic factor in further progress. So long as the small holding, often uneconomic and fragmented, remains the unit of management in agriculture, the possibilities of expanding the village economy to create adequate diversity and richness in the occupational structure are severely

limited. A distinction should be made between the unit of management and the unit of operation. Even when a larger area or the village as a whole is the unit of management, for many years, the common unit of operation will be the peasant holding. If the village is the unit of planning, there could be cooperation in many operations, such as the use of improved seed, common buying and selling, in soil conservation, in the use of water, in the construction of local works and, increasingly, in the principal farm operations.

65. During the transition to cooperative village management, lands in the village will be managed in three different ways. Firstly, there will be the individual farmers cultivating their own holdings. Secondly, there will be groups of farmers who pool their lands voluntarily in their own interest into cooperative working units. Thirdly, there will be some land belonging to the village community as a whole. This will include the common lands of the village, the village site, culturable waste lands assigned to the village, lands whose ownership or management is entrusted to the village on the application of the ceiling on agricultural holdings and, lastly, lands available for the settlement of the landless. Thus, one could visualise within the scheme of land management in each village an individual sector, a voluntary cooperative sector and a community sector. The relative proportions between these sectors will be a matter for growth and development as well as positive planning. The aim would be to enlarge the cooperative sector until the management of the entire land in the village becomes the cooperative responsibility of the community. Cooperation in credit, marketing and processing will also further cooperation in production. These activities are inter-related. Those which are simpler to organise will naturally be taken up first. Cooperation in all forms and in all activities is to be welcomed because the habit and outlook of cooperation is as important as the forms through which it is expressed.

66. The main instruments for achieving cooperative village management are :—

- (1) the national extension service and programmes for increasing agricultural production and developing other allied activities,
- (2) the village panchayat and the functions assigned to it as the development agency at the village level,
- (3) steps taken to develop cooperative credit, marketing, warehousing, processing, etc.,
- (4) programmes for the development of village industries, specially for meeting local needs and for producing work opportunities to all persons in the village,
- (5) programmes for promoting and assisting voluntary co-operative farming societies, and
- (6) development of a 'community sector' within the village economy, that is, of land belonging to the village community as a whole (such as common lands, gifted lands, residential sites, lands in excess of the ceiling etc.), and activities organised for the village as a whole.

The work of different agencies and the progress of the measures listed above are necessarily inter-connected and the development of cooperative village management is likely to be a gradual process. Many practical problems will have to be resolved, efficient organisations built up, extension workers fully oriented to the tasks of cooperative development and a movement with purposeful leadership developed at the village level.

The forms which cooperative village management may assume and the stages in which it is approached will depend on the experience and initiative of the people in each area and the success which is achieved in implementing each of the individual programmes for rural community development.

67. Once the stage of cooperative village management is reached and work opportunities developed in adequate measure within the rural economy, the distinction between those who have land and those who are landless will lose much of its significance. The true distinction then is between workers with varying skills who are engaged in different occupations, both agricultural and non-agricultural. The resources of the village community derived from agriculture, trade and village industry will be employed in securing the maximum increase in production and employment through action within the village as well as through cooperation in activities extending beyond the village. Such a village community will have an integrated social and economic structure and will be linked organically as a production and business unit with the economic life of the tehsil and the district. Thus, a rural economic structure is visualised in which agricultural production, village industries, processing industries, marketing and rural trade are all organised as cooperative activities.

68. An important step in the direction of cooperative development of the village economy, which has grown out of the Bhoojan movement, is the gifting by their owners of about 800 whole villages in Orissa and in few other States. These are commonly described as *Gramdan* villages. The practical success which is achieved in the development of *Gramdan* villages will have great significance for cooperative village development elsewhere in the country. Cooperative villages should receive in special measure the various forms of assistance specified earlier for cooperative farming societies. Two other aspects need to be emphasised. In these villages land revenue should be collected through the village panchayat. Secondly, depending on the form in which individual rights are held under the village community, credit and other assistance should be made available either to individuals on the strength of security which the community can furnish or on the basis of shares which individuals hold in the village lands. Such adaptations in existing revenue and cooperative legislation as are required by the transformation from individual to cooperative or community holding of land should be carried out.

ADMINISTRATION OF LAND REFORM PROGRAMMES

69. Land reform programmes are an integral part of national planning and in several fields progress depends on their speedy and efficient execution. At the same time, they throw a heavy burden

on the administration which has, therefore, to be strengthened and equipped adequately to carry out these programmes. Broadly, administrative tasks to be undertaken fall into two groups, namely, (a) those which are required for ensuring efficient revenue administration, and (b) tasks related to special programmes such as consolidation of holdings, land management, imposition of ceilings on agricultural holdings, redistribution of land and development of cooperative farming. It is necessary to take a comprehensive view of both sets of tasks as they are essentially inter-dependent in character and form part of an integrated scheme.

70. The first group of administrative tasks includes the following :—

- (1) The maintenance of correct and up to date land records is a pre-requisite for the implementation of land reform. In several States, following the abolition of intermediaries, revenue records have been or are in the process of being prepared. Frequently, revenue records are defective inasmuch as they do not provide information in respect of the holdings of tenants and crop-sharers;
- (2) Over large areas cadastral surveys are not up to date. As a rule they form part of settlement operations but these are in arrears in many States. Revision and preparation of village records has to be taken up urgently and cannot wait until cadastral surveys are completed. It would, therefore, appear necessary, as an immediate measure, to prepare up to date revenue records on the basis of what may doubtless be rough maps ;
- (3) With the larger load of work which revenue staffs have carried in recent years, annual records are not always maintained correctly or up to date and the elaborate instructions for supervision and correction of records which exist in most States are difficult to implement for want of adequate supervisory staff. In particular, entries relating to cultivating possession of tenants and crop-sharers may frequently be inaccurate. It is, therefore, desirable that at the time of field inspections by the revenue officials some members of the village panchayat should be associated. Copies of the records which are prepared should be made available for inspection in the panchayat office and copies of changes which are proposed should be supplied to the parties concerned ;
- (4) In certain areas, especially those which were formerly under permanent settlement, recent and fairly reliable revenue or rent rates are not available. The process of determining these rates normally takes a long period. It would be desirable to adopt, wherever possible, some simple course, such as fixation of rent as a multiple of land revenue. This is a necessary measure if reduction in rent and commutation of produce rents into cash are to take place.

71. Among the second group of administrative tasks which arise from the special land reform programmes to be implemented during the second five year plan, the following may be mentioned :

- (i) consolidation of holdings.

- (ii) restoration of tenants wrongfully ejected,
- (iii) detection of *mala fide* transfers of land,
- (iv) determination of compensation for the acquisition of different rights,
- (v) enforcement of ceilings on agricultural holdings,
- (vi) demarcation, taking over and redistribution of land obtained through imposition of ceilings, *bhoodan* and other measures,
- (vii) implementation of improved land management measures at the village level, and
- (viii) assisting in the development of co-operative farming and co-operative management.

72. The administrative tasks taken together constitute a heavy burden on the revenue staff. It is obvious that considerable strengthening of both supervisory and field personnel should be planned for from the earlier stages. Much new legislation is complex in character and it is necessary that the revenue staff itself should understand thoroughly its objectives and the means through which they are to be attained. Short period training courses will, therefore, be useful. While some of these tasks have to be carried out over the entire area of a State simultaneously, such as reduction in rents, or demarcation of non-resumable and resumable areas, there are other programmes which can be undertaken with greater speed if they are first carried out in selected areas, where experience is gained and personnel trained before other areas are taken up. An active and informed public opinion can be of great assistance in implementing land reform programmes. Steps should, therefore, be taken to make widely known the rights and obligations of different sections of the rural community in terms of the land reform legislation. In carrying out the various tasks the official machinery can and should derive a great deal of assistance from the agencies of district development administration which are described in Chapter VII, namely, village panchayats, development committees in talukas and development blocks and district development councils. In particular, village panchayats have a large role in the achievement of high standards of management and efficiency and in assisting the progress of consolidation of holdings. Through their association land revenue records can be maintained more accurately and injustices avoided. Also, they can assist materially in the settlement of disputes relating to ejectment of tenants, arrears of rent, possession of land, restoration of tenancies and ejectment of trespassers. Land reform measures are an important part of district and village development programmes and no small part of the response of the people to these programmes will derive from the success of land reform.

ANNEXURE I

The following list of factors which should be taken into account in judging the quality of the management of a farm or a holding has been worked out by a committee of the Panel on Land Reform. These factors have to be adapted to local conditions and those of them which are of special importance in an area singled out as the principal criteria of efficiency of management :

(i) Land :

- (a) Levelling, bunding, terracing (where necessary and economically practicable) and other measures needed for maintaining the fertility of the soil.
- (b) Development and use of cultivable waste land such as reclamation of cultivable waste land by drainage of water-logged area, removal of alkali or kollar by antierosion or soil conservation measures, eradication of pernicious weeds, clearing of bushes.

(ii) Use of pure seeds of approved variety.

(iii) Manures and fertilizers :

- (a) conservation of farm yard manure ;
- (b) composting of all kinds of farm refuse ;
- (c) adoption of green manure as a regular practice ;
- (d) use of chemical fertilisers where necessary and economical.

(iv) Irrigation :

- (a) where canal irrigation is not available, construction of wells, tubewells, pumps, tanks and dams wherever possible either independently or in co-operation with the neighbouring cultivators ;
- (b) economic use of water by proper maintenance of irrigation channels, i.e., plastering, keeping them, as far as practicable, in straight lines and not zig-zag, keeping them free from weeds and making the irrigation channels pucca, wherever economical, in order to prevent leakage of water.

(v) Agricultural implements :

Use of agricultural implements of improved variety as recommended by the Agriculture Department for particular tracts.

(vi) Control of insect pests and diseases and eradication of pernicious weeds, independently as well as in co-operation with local cultivators, in accordance with methods generally recommended by the Agriculture Department.

(vii) Improved agricultural practices in respect of :

- (a) preparation of seed beds ;
- (b) methods of sowing ;
- (c) inter-culture of crops ;

- (d) weeding ;
- (e) rogueing ;
- (f) harvesting practices.

(viii) Suitable rotation of crops.

(ix) Planting and care of trees (especially along water courses, near wells and on uncultivated lands).

(x) In case of 'dry farming', adoption of improved dry farming practices as recommended by the Agriculture Department such as :—

- (a) shallow ploughing before the commencement of rains ;
- (b) removal of weeds ;
- (c) bunding and terracing ;
- (d) conservation of moisture by ploughing and sohaging immediately after the rains stop.

(xi) Adoption of 'mixed farming' i.e., industries allied to agriculture like fruit and vegetables gardening, dairy farming, poultry or bee-keeping, to the extent to which the recommendations of the Agriculture Department on the subject are followed.

(xii) Animal Husbandry :

- (a) Maintenance of approved breeds of live stock ;
- (b) Satisfactory provision for feeding of animals ;
- (c) Conservation of manure ;
- (d) Proper housing of animals ;
- (e) Protective measures against and treatment of diseases.

(xiii) Farming equipment and investment in permanent improvements.

(xiv) Adequate arrangements for storage of produce.

(xv) Housing conditions of agricultural workers on the farm.

(xvi) In the case of large and medium sized farms, maintenance of simple farm accounts as may be prescribed.

(xvii) Participation in co-operative associations.

THIRD FIVE YEAR PLAN

CHAPTER XIV

LAND REFORM

OBJECTIVES FOR THE THIRD PLAN

Land reform programmes, which were given a place of special significance both in the First and in the Second Plan, have two specific objects. The first is to remove such impediments to increase in agricultural production as arise from the agrarian structure inherited from the past. This should help to create conditions for evolving as speedily as possible an agricultural economy with high levels of efficiency and productivity. The second object, which is closely related to the first, is to eliminate all elements of exploitation and social injustice within the agrarian system, to provide security for the tiller of soil and assure equality of status and opportunity to all sections of the rural population.

2. The principal measures for securing these objectives were the abolition of intermediary or 'rent-receiving' tenures and the reform of tenancy, including regulation and reduction of rent and security of tenure. A further step to which tenancy reform led was the conferment of right of ownership on tenants.

3. In pursuance of the second object, in particular, it was proposed that steps should be taken to reduce disparities in the ownership of land—a policy widely accepted as being essential for the economic development of countries with limited areas of land and large population dependent on it. It was realised that with the existing pattern of distribution of agricultural holdings and the predominance of small farms, redistribution of land in excess of any given level of ceiling was not likely to make available any large results in the shape of surplus land for distribution. It was considered, however, that such reduction in disparities was a necessary condition for building up a progressive cooperative rural economy. At the same time, such redistribution of land as might be possible would, along with other measures which have been taken for resettlement on waste lands, afford a measure of opportunity to the landless section of the population, to whose problems special attention was drawn both in the First and in the Second Plan. It should be stressed that the principles on which the scheme of land reforms is based do not merely involve adjustments between the interests of different sections of the population which depend on land, but are part of a wider social and economic outlook which has to be applied in some measure to every part of the economy.

4. It will be seen that, with the implementation of a programme of land reform on the lines described above, the vast majority of cultivators in India would consist of peasant-proprietors. They are to be encouraged and assisted in organising themselves in voluntary co-operative bodies for credit, marketing, processing and distribution and, with their consent, progressively also for production. To the extent such reorganisation is carried out at the village level,

some of the difficulties arising from small and uneconomic holdings could be diminished and the weaker in each community could be assisted to raise their standards. It has always been stressed that as each phase of land reform is implemented, it will become possible to give fuller assistance to cultivators in increasing agricultural production and in diversifying the village economy. Greater cohesion among cultivators and the strengthening of the village community will also lead to a larger local effort and more rapid economic and social progress.

5. As legislation has been enacted in one State after another, there has been greater understanding of the need for land reform and the purposes it is intended to achieve. The Bhoojan and Gramdan movements have greatly helped to create a favourable atmosphere for implementing progressive measures of land reform. Yet, the total impact of land reform has been less than had been hoped for. For this there are several reasons. In the first place, there has been too little recognition of land reform as a positive programme of development, and it has been only too often regarded as extraneous to the scheme of community development and the effort to increase agricultural production. Secondly, there has been insufficient attention to the administrative aspects of land reform. Frequently at the lower levels of the administration, collusion and evasion have gone unchecked, and there has been failure also to enlist the support and sanction of the village community in favour of effective enforcement of legal provisions. In the third place, it has not been sufficiently realised that the reform of land tenures and the early enforcement of ceilings are an essential foundation for the building up of the cooperative rural economy. While removing such shortcomings in the legislation or the rules as may come to notice, it is important that the land reform programme should be completed with the least delay, so as to eliminate any feeling of uncertainty arising from delays in implementation. This aspect has been specially stressed by the Panel on Land Reform constituted by the Planning Commission to assist in the study of proposals for the Third Plan.

ABOLITION OF INTERMEDIARY TENURES

6. Work on the abolition of intermediary tenures like zamin-daris, jagirs and inams, which covered more than 40 per cent of the area of the country, has been fully carried out except for a few minor tenures such as those held by religious and charitable institutions and service inams. These reforms have brought more than 20 millions of tenants into direct relationship with the State and improved their social and economic position. As a result of the abolition of intermediary tenures, considerable areas of cultivable waste land and private forests came under the management of Government.

7. Several States with intermediary tenures did not possess the requisite revenue administration. Over the past few years, they have done much to strengthen their revenue agencies but there is need for further improvement, especially at the village level. There has been progress also in survey and settlement and in the preparation of records of rights, but much still remains to be done. Largely on account of the heavy burden thrown on the revenue administration, there has been a measure of delay in the assessment and payment

of compensation to intermediaries. Out of a total amount of Rs. 670 crores (Rs. 520 crores as compensation and Rs. 150 crores for interest charges), so far compensation to the extent of only Rs. 164 crores has been paid, mainly in the form of bonds. It is important that in the course of the Third Five Year Plan, all the States concerned should arrange to issue the compensatory bonds still outstanding and complete records of rights and other administrative tasks arising from the abolition of intermediaries.

REDUCTION OF RENTS

8. Ten years ago the customary level of rents commonly paid by tenants-at-will, non-occupancy tenants and share-croppers over the greater part of the country was one-half of the produce or more. In addition to rent, very frequently there were other payments which enhanced the burdens borne by tenants. The situation was reviewed at length in the First Five Year Plan which suggested that a rate of rent exceeding one-fourth or one-fifth of the produce would call for special justification. Over the past few years, all States have enacted legislation for regulating rents which a landlord may receive. In some States, as in Gujarat, Maharashtra and Rajasthan, the maximum rent now stands at one-sixth of the produce. In Assam, Kerala, Orissa and Union Territories, the rent payable is about one-fourth of the produce or less. In several States, the normal level of rent is still about a third of the produce. It is to be hoped that in these States rents will be reduced to the level envisaged in the first two plans so as to facilitate more rapid improvement in the economic conditions of tenants.

9. In the early years of tenancy legislation, it was observed that reduced levels of rents—and indeed other conditions of tenancy—provided for by legislation were far from adequately enforced, and to a large extent customary rates of rent continued to prevail. Where arrangements for leasing land are arrived at between individual parties, variations from the norms set by legislation can occur for a variety of reasons, for instance, if the owner undertakes to provide seed or bullocks or pay for irrigation. In the beginning, there is also considerable ignorance on the part of tenants of the rights granted by legislation. Where there is pressure on land and the social and economic position of tenants in the village is weak, it becomes difficult for them to seek the protection of law. Moreover, resort to legal processes is costly and generally beyond the means of tenants. Thus, in many ways, despite the legislation, the scales are weighed in favour of the continuance of existing terms and conditions. Effective implementation of tenancy legislation, therefore, requires specially vigorous and sustained action on the part of governmental agencies. There must be special efforts not only to acquaint tenants with the rights due to them but also to bring about greater understanding on the part of the people of each area of the objects of land reforms and of the need to complete them without delay.

10. Although, in the past, rents have generally been paid as a proportion of the gross produce, with progress in the rural economy and larger use of money as the medium of exchange, it would be desirable, as a matter of policy, to hasten the transition from rents in kind to cash payments. With cultivators having to purchase a

growing proportion of their requirements, such as fertilisers, implements etc., in cash, the change-over to cash rents is likely not only to reduce the burden on tenants, but also to promote investment in agriculture. As suggested in the Second Plan, commutation of rents in kind into cash payments might be facilitated if, with due regard to conditions of each district, rents could be declared as multiples of the prevailing land revenue assessment. Where this is not feasible, suitable norms could be proposed on the basis of other criteria. It would greatly assist the enforcement of rents prescribed by legislation if State Governments could make it obligatory on the part of owners to furnish receipts for the rents received by them and if, as is already the practice in some States, tenants could deposit the rents due from them with the appropriate revenue officer, the land-owner being advised accordingly.

SECURITY OF TENURE

11. Legislation providing for security of tenure has been enacted in eleven States and for all the Union Territories. In four States, Bills are before the legislature and will be enacted in the near future. Pending legislation, ejection of tenants has been stayed. Legislation for security of tenure has three essential aims—firstly, that ejectments do not take place except in accordance with the provisions of the law; secondly, that land may be resumed by an owner, if at all, for 'personal cultivation' only; and thirdly, that in the event of resumption the tenant is assured of a prescribed minimum area.

12. In the first phase of tenancy legislation it was perhaps inevitable that the provisions regulating the rights of owners and tenants should be somewhat elaborate. Such complexity comes in the way of making the legislation effective. In the light of the experience gained, it is suggested that steps should be taken to simplify the existing legislation wherever possible, and to strengthen or modify provisions which are in practice difficult to enforce.

13. As stated earlier, the impact of tenancy legislation on the welfare of tenants has been in practice less than was hoped for. One of the principal reasons for this is that in a number of States ejectments of tenants have taken place on a considerable scale under the plea of 'voluntary surrenders'. Two main recommendations on this subject were made in the Second Plan. The first was that voluntary surrenders by tenants of lands held by them should not be regarded as valid unless they were duly registered by the revenue authorities. Secondly in the event of surrender of tenancy, the landowner should be entitled to take possession of land only to the extent of his right of resumption permitted by law. On the whole, both legislation and administrative action have fallen short of these recommendations. A few States have provided for registration of surrender of land by tenants. Registration of surrenders is essential and a provision on these lines should be a feature of tenancy legislation. The second lacuna in the existing legislation concerns the conditions applicable to surrenders. In two States effect has been given to the recommendation in the Second Plan that resumption of land arising from a voluntary surrender by the tenant should take place on conditions identical with those governing resumption for personal cultivation. In Maharashtra and Gujarat, the overall limit for resumption applies also to surrenders, but other conditions governing surrenders are

different. As was pointed out in the Second Plan, most voluntary surrenders of tenancy are open to doubt as bonafide transactions. This has been confirmed by such enquiries and investigations as have been undertaken. It is, therefore, important that early steps should be taken to remove legal and administrative deficiencies relating to the registration of 'voluntary surrenders' and resumption of land arising from them.

14. In most States legislation provides for a definition of 'personal cultivation' which is, as a rule, a necessary condition for resuming land from tenants. There are three elements in 'personal cultivation', namely, risk of cultivation, labour and personal supervision. The obligation of the owner to bear the entire risk of cultivation implies that wages will be paid in cash or in kind, but not as a share of the crop. While the expression 'labour' is generally defined to include 'labour by the owner or by a member of his family', this is not an obligatory element in 'personal cultivation'. In the Second Plan, the proposal was made that where land is resumed on grounds of 'personal cultivation', it would be desirable to provide for personal labour as a necessary ingredient, in the absence of which the ejected tenant should have the right of restoration. So far this suggestion has not found its way into the legislation undertaken by the States. A provision on these lines is desirable and would serve to make the legislation more effective. As an essential element in 'supervision', the Second Plan envisaged residence during the greater part of the agricultural season by an owner or a member of his family in the village where the land is situated or in a near-by village within a distance to be prescribed. The Panel on Land Reform has suggested that the condition of residence in these terms should apply during the period the main agricultural operations are undertaken. This suggestion should be considered by State Governments and the current definitions of 'personal supervision' modified to the extent necessary.

RESUMPTION OF TENANCIES

15. The main recommendations in the Second Plan for regulating resumption of tenancies on grounds of personal cultivation were as follows :

- (1) The area to be resumed should be declared within a certain period and should be demarcated in advance.
- (2) Owners with very small holdings, for instance, those having one-third of a family holding or less should be free to resume their entire land for personal cultivation. Those with holdings above this level might resume land for personal cultivation subject to a minimum area being left with the tenant.
- (3) Right of resumption may be exercised within a period of five years.
- (4) Persons serving in the armed forces or those subject to disabilities, like widows, minors or those suffering from mental or physical infirmities etc., should be permitted to lease out land and should have the right to resume land for personal cultivation when the disability ceases.

16. From the tenor of legislation enacted or under consideration, States fall broadly into four categories :

- (a) those in which no resumption is permitted, as in Uttar Pradesh, Delhi and, in respect of under-raivats, West Bengal;
- (b) those in which the right to resume a limited area for personal cultivation is allowed subject to the condition that a minimum area or a portion of the holding is left with the tenants, as in Bihar, Gujarat, Kerala, Madhya Pradesh, Maharashtra, Mysore, Orissa, Rajasthan, Himachal Pradesh and Manipur ;
- (c) those in which the right to resume is subject to the tenant being given alternative land upto a prescribed limit for cultivation, the land being found by the State, as in Punjab and Assam ; and
- (d) those in which resumption is allowed up to the level of the ceiling without any minimum area being provided for the tenant, as proposed in Andhra Pradesh and Madras. Bar-gadars in West Bengal who are share-croppers, are not regarded as tenants. They do not have the rights extended to underraiyats, although strictly speaking they fall within the definition of 'tenant'.

17. Experience of the working of legislation relating to resumption on grounds of personal cultivation leads to certain broad conclusions. In the first place, whatever the conditions, the right to resume land creates uncertainty and tends to diminish the protection afforded by the legislation. Both in the First and in the Second Plan, it was contemplated that it would not be necessary to allow resumption beyond a period of five years. It is considered that except for owners holding land equivalent to a family holding or less, in view of the period which has already elapsed, there should be no further right of resumption. Further uncertainty for tenants would not be in the interest of agricultural development. In the second place small owners, that is, owners with a family holding or less, deserve special consideration. As suggested in the Second Plan, owners with less than a basic holding (that is, one-third of a family holding) should be free to resume their entire area for personal cultivation and to lease out their lands. As regards owners whose holdings lie between a basic holding and a family holding, they may be permitted to resume for personal cultivation, within a specified period, one-half of the area held by the tenant but in no event less than a basic holding. Where a tenant is left without any land or with area smaller than a basic holding the Government should endeavour to find land for him to cultivate. The general aim should be to encourage small owners, and specially those among them with very small holdings, to enter into cooperative farming societies. Membership in a cooperative farming society would enable them to move to other work if they so desire. For such owners it would not be necessary to prescribe a period beyond which resumption for personal cultivation should not be permitted.

18. Provisions regarding resumption for personal cultivation could be abused if medium-sized owners were to act malafide and transfer their lands to relatives or others and so come within the

definition of small owners. With a view to ensuring that the provisions for resumption are observed, legislation in Gujarat and Maharashtra was amended in 1957 so as to restrict resumption in respect of such land as stood in the name of a landholder or any of his ancestors in the record of rights on the 1st day of January, 1952. In the legislation in Kerala which includes special provision for small holders, it has been provided that any transfers or partitions carried out after the 18th day of December, 1957, shall not entitle the landholder or the transferee to the benefit of the provisions for small holders. A condition on these lines would be generally desirable.

RIGHTS OF OWNERSHIP FOR TENANTS

19. Security of tenure and reduction of rents are the first stage in tenancy reform; the goal is to confer rights of ownership on as large a body of tenants as possible. In the Second Plan it was suggested that each State should have a programme for converting tenants of non-resumable areas into owners and putting an end to vestiges of the landlord-tenant relationship. It was urged that instead of optional rights to tenants to purchase lands cultivated by them, all tenants of non-resumable areas should be brought into direct relationship with the State. For owners with holdings equivalent to a family holding or more, a period of five years within which the right of resumption could be exercised was proposed, and it was suggested that on the completion of this period, rights of ownership should be conferred on their tenants. Finally as it was difficult to obtain precise information regarding the progress made in the transfer of ownership rights to tenants, the recommendation was made that States should arrange to compile regular annual returns.

20. In the course of the Second Plan, some progress has been made in the direction of providing ownership rights to tenants. In a few States as in Punjab, only optional right to purchase has been given to tenants. This is an unsatisfactory approach, for, as was observed in the Second Plan, where rights of purchase are optional, they are scarcely exercised. In a number of States, legislation provides for bringing tenants of non-resumable lands into direct relationship with the Government. This may be achieved in one of the three ways :

- (1) by declaring tenants as owners and requiring them to pay compensation to owners in suitable instalments, responsibility for recovering unpaid instalments as arrears of land revenue being accepted by Government;
- (2) through the acquisition by Government of the rights of ownership on payment of compensation and transfer of ownership to tenants, compensation being recovered from them in suitable instalments; and
- (3) through the acquisition by Government of the landlords' rights and bringing tenants into a direct relationship with the State, option being given to tenants to continue as such on payment of fair rent to the Government or to acquire full ownership on payment of the prescribed compensation.

21. The first of these courses has been followed in Gujarat, Maharashtra, Madhya Pradesh and Rajasthan, the second in Delhi and in respect of under-riayats (without payment of compensation) in West Bengal, and the third in Kerala and Uttar Pradesh. In Madras, steps in favour of ownership rights for tenants have not yet been initiated. In Assam and Bihar, the right of ownership will be available only to the tenants of land-holders in respect of lands above their ceiling area. As much of the legislation is quite recent, exact information regarding the extent to which ownership rights have been conferred on tenants is not available. It is understood that in Gujarat and Maharashtra, under legislation enacted by the former Bombay State, rights of ownership would accrue to 1·3 million tenants over an area of about 2·4 million acres. In Uttar Pradesh, about 1·5 million sub-tenants and tenants of home-farm lands, holding about 2 million acres, were brought into direct relationship with the State. In the Union Territory of Delhi, ownership of about 25,000 acres was transferred to about 18,000 tenants and sub-tenants.

22. It is recommended that in the course of the Third Plan, steps should be taken to complete the programme for conferring rights of ownership on the tenants of non-resumable lands. With the enforcement of ceilings on agricultural holdings, tenants of owners with lands above the limit of ceiling will, in the ordinary course, become owners of land. It has been suggested earlier that owners holding land exceeding a family holding, as prescribed in different States, should have no further rights of resumption. Tenants of such owners should also become owners of lands held by them. With this object, according to its legislation and other conditions, a State may either acquire the rights of ownership and transfer them to tenants or declare tenants as owners and require them to pay for their rights in instalments on terms prescribed by legislation. On the whole, it would be desirable for payments by tenants for acquisition of ownership to be made directly to Government rather than to the owners. This will ensure more effective implementation and will end the landlord-tenant nexus.

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23. The question arises whether rights of ownership should also be conferred upon the tenants of small owners. This would be desirable in principle to the extent of non-resumable lands held by such tenants. However, in view of the large number of petty owners involved, a uniform approach might not be feasible. The problem should be studied by States in the light of their conditions with a view to determining the action called for in this direction.

CEILING ON AGRICULTURAL HOLDINGS

24. In the course of the Second Plan, there has been legislation for placing ceiling on agricultural holdings in Andhra Pradesh, Assam, Gujarat, Kerala, Madhya Pradesh, Maharashtra, Orissa, PEPSU territory in the Punjab, Rajasthan, Uttar Pradesh and West Bengal and in the Union Territories. Bills proposing ceilings are at present before the State legislatures in Bihar, Madras, and Mysore. In Punjab, outside the area of the former PEPSU territory, the existing legislation permits the Government to utilise land in excess of the permissible area for the purpose of resettling tenants who have been ejected or may be ejected. Annexure I of this Chapter sets out in summary form information relating to the levels at which

ceilings have been prescribed or proposed in different States. With the completion of legislation, the essential task must be that of ensuring speedy and effective implementation.

25. The question whether ceilings should apply to the holding of an individual owner or to the aggregate area held by the members of a family was considered in the Second Plan. As is to be expected, practice in this respect differs. In several States, as in Andhra Pradesh, Jammu and Kashmir, Orissa, Punjab, Uttar Pradesh and West Bengal the ceiling applies to individuals, without any special provision being made for joint Hindu families. In Madhya Pradesh, while the ceiling applies to individuals, in the case of a joint Hindu family each co-sharer is entitled to a separate ceiling area. In Assam, Gujarat, Kerala and Rajasthan, the ceiling applies to the aggregate area held by a family, the expression 'family' being defined in the legislation. A similar approach has been adopted in the legislation now under consideration in Madras and Mysore. Thus different States have applied ceilings to individuals or families as they considered appropriate to their conditions.

26. Once legislation has been enacted, amendments should aim primarily at eliminating deficiencies and facilitating implementation rather than at introducing fundamental changes in the principles underlying the legislation. In this context, the most important issue for consideration is the treatment of transfers of land on the part of land owners subject to ceilings. On the whole, it would be correct to say that in recent years, transfers of lands have tended to defeat the aims of the legislation for ceilings and to reduce its impact on the rural economy. The question as to whether or not transfers should be disregarded and, if so, from what date, has been debated at length in every State. In the majority of States a date prior to the enactment of the legislation has been indicated. This may be the date of the introduction of the Bill providing for ceilings or of its publication or other specified date. In several States transfers subsequent to this date are disregarded as in Assam, Gujarat, Kerala, Madras, Maharashtra, Rajasthan, Uttar Pradesh and West Bengal. In a few States, there is no such provision at all, as in Andhra Pradesh. In Madhya Pradesh and Orissa, legislation allows the owners of surplus lands to dispose them of to persons belonging to certain prescribed categories even after the enactment of the legislation.

27. Since many of the transfers are apt to take place between members of the family, it has been suggested that the ceiling should apply invariably to the aggregate area held by a family rather than to individuals. However, in view of the fact that ceilings have been applied in several States to individual holdings and in others to the aggregate area held by a family, any attempt to remove deficiencies or weaknesses would have to fit into the pattern of the prevailing legislation. The question of transfers could perhaps be dealt with in the following manner :

- (1) Where legislation does not contain a provision for disregarding transfers, in view of the fact that transfers have taken place on a considerable scale, a suitable date subsequent to which transfers are disregarded may be proposed, if necessary, through an amending legislation. This date may be

the date of the publication of the ceiling proposals or an earlier date as may be prescribed in view of the local conditions.

- (2) In respect of transfers made after the specified date, a distinction may be made between (a) transfers among the members of a family, (b) benami transfers and other transfers which have not been made for valuable consideration and through a registered document, and (c) transfers made for valuable consideration through a registered document. Transfers coming under (a) and (b) can be disregarded. Transfers falling under (c) may need to be dealt with differently in view of the fact that the transferees may be small owners or landless persons who may have purchased some land. It may be necessary to protect such transferees, at any rate, upto a prescribed limit, say, a family holding.
- (3) There should be provision for a review of transfers by a competent authority on the lines suggested above.

EXEMPTIONS FROM CEILINGS

28. The Second Plan envisaged exemption from ceilings for the following categories of farms :

- (1) tea, coffee and rubber plantations ;
- (2) orchards where they constitute reasonably compact areas ;
- (3) specialised farms engaged in cattle-breeding, dairying, wool-raising, etc. ;
- (4) sugarcane farms operated by sugar factories ; and
- (5) efficiently managed farms which consist of compact blocks, on which heavy investment or permanent structural improvements have been made and whose break-up is likely to lead to a fall in production.

This recommendation was based on three main considerations. Firstly, in undertakings like plantations, industrial and agricultural work had to be closely integrated. Secondly, in certain specialised branches of agriculture such as horticulture, cattle-breeding, dairying, etc., investment has to be made on a long-term basis and several years elapse before the output could be realised. In the third place, it was thought that in safeguarding efficiently managed farms which consisted of compact blocks on which heavy investment or permanent structures had been made, risk of fall in production would be avoided.

29. In the legislation which has been enacted in the States, plantations have invariably been exempted from ceilings. There are provisions also in favour of specialised farms. There has been some measure of variation in the approach to sugarcane farms operated by sugar factories and to efficiently managed farms. Legislation in several States (Andhra Pradesh, Assam, Gujarat, Madhya Pradesh, Orissa, Punjab and Rajasthan) and proposals under consideration in some others (Bihar and Mysore) provide for the exemption of efficiently managed farms from ceilings. Where the exemption exists, by and large it has still to be implemented. In Kerala, Madras Maharashtra and Uttar Pradesh, exemption of efficiently managed farms

from ceilings has not been envisaged. In Uttar Pradesh, the Government has taken power to operate the surplus lands of mechanised farms as State farms and to appoint suitable persons as managers on terms and conditions to be prescribed, preference being given to the existing holders of these farms if they are otherwise qualified.

30. As regards sugarcane farms operated by sugar factories, legislation in several States exempts them from the operation of ceilings, as in Andhra Pradesh, Assam, Madhya Pradesh, Orissa, Rajasthan and PEPSU area of Punjab and in the Bills at present under consideration in Bihar and Mysore. In three States, however, a different approach has been adopted. In Madras legislation provides for the setting up of a Sugar Factory Board to review whether individual factories should or should not be exempted from ceilings. Considerations such as the requirements of the sugar factory and its financial structure have to be taken into account before final decisions are taken. In Uttar Pradesh, while there is no exemption from ceilings, provisions relating to mechanised farms mentioned above would also apply to sugarcane farms operated by sugar factories. In Maharashtra, sugarcane farms of sugar factories are not exempted from ceilings but provision is made for maintaining the integrity of the farms in one or more compact blocks for full and continued supply of raw material to sugar factories at a fair price, and for grant of surplus land to joint farming societies consisting, as far as possible of persons who had previously leased their lands to the sugar factory, agricultural labourers employed on the farm, technical and other staff engaged by the factory for work on the farm, adjoining land holders who are small holders and landless workers.

31. The considerations urged in the Second Plan and the recommendations regarding the exemption from ceilings of efficiently managed farms and of sugarcane farms operated by sugar factories remain generally valid for the Third Plan and there are advantages in following the course proposed. On the other hand, where a State, because of practical difficulties or other considerations, wishes to adopt a different course, certain conditions should be assured. These are, firstly, that the integrity of the farms should be maintained and their levels of efficiency ensured and, secondly, in the case of sugar factory farms satisfactory and continuous supply of the raw material to the factory concerned should be secured.

SCHEMES OF RESETTLEMENT

32. Proposals to set ceilings on agricultural holdings were intended to serve two objects—firstly, to bring about reduction in disparities and pave the way to the development of a progressive co-operative rural economy and, secondly, to provide land for redistribution to the landless sections of the rural population. Far-reaching legislation has been enacted and although precise estimates are difficult to make, it would appear that the total area of surplus lands likely to be available for distribution to the landless might be considerably less than what had been hoped for at one time. At the present stage in land reform the most important consideration is that such lands as can be made available by each State as a result of the implementation of its ceiling legislation should be allotted with least possible delay. Along with these lands, waste lands and, where

possible, lands available through Bhoojan should be pooled and systematic schemes of resettlement speedily implemented. In providing land, care should be taken to make available the necessary credit and other facilities, so that those settled on the land may develop high standards of cultivation. It was contemplated in the Second Plan that in the settlement of land acquired in consequence of the application of ceilings, tenants displaced as a result of resumption of land for personal cultivation, farmers with uneconomic holdings and landless workers should receive preference. It was also proposed that settlements should be made, as far as possible, on cooperative lines. Generally, the legislation which has been enacted follows these recommendations. It was also proposed in the Second Plan that farmers with uneconomic holdings should be admitted into cooperatives constituted with surplus lands if they also agreed to pool their lands. In taking action along these lines the necessary financial and technical assistance should be provided as envisaged in the programme for the development of cooperative farming proposed for the Third Plan.

CONSOLIDATION OF HOLDINGS

33. Progress in the consolidation of holdings has been recorded in Punjab, Uttar Pradesh, Maharashtra, Gujarat and Madhya Pradesh. In other States, there has been comparatively little advance during the Second Plan. By the end of 1959-60 about 23 million acres had been consolidated and work was in hand over another 13 million acres. According to indications given by States, the total area likely to be taken up for consolidation in the Third Plan is about 30 million acres. With a view to making experience in consolidation of holdings available to all States, two special studies were prepared by the Planning Commission four years ago. One of these explained the methods which had been developed in different parts of the country and the problems which had been encountered. The second study set out suggestions for speedy execution of the programme of consolidation. Although consolidation of holdings has been regarded as an integral part of the agricultural production programme, in practice the two programmes are not always coordinated. Except where consolidation of holdings is already being undertaken on a large scale, in view of the limitations of trained personnel, it would appear desirable to concentrate consolidation work in areas which are already receiving irrigation or are likely to come under irrigation. The Planning Commission propose to study more closely how best the factors which come in the way of extension of the consolidation programme in the southern and eastern parts of the country can be overcome and what changes and adaptations in the present methods and system of consolidation are called for in these areas.

LAND MANAGEMENT LEGISLATION

34. The place to be assigned to land management legislation and the manner in which it should be applied need to be considered in the light of developments during the first two Plans. In the First Plan, while land management legislation was intended to be general in scope, its specific applications were to be in relation to farms held by substantial owners. In the proposals in the Second Plan the object was that land management legislation should provide for standards of efficient cultivation and management which would permit objective and qualitative judgments. If farms could be

classified into certain grades, those above the average could receive suitable encouragement, while those falling below the average could be assisted to come up to higher standards. For certain purposes the legislation could provide for sanctions. Legislation regarding land management has been enacted only in two States and in one Union Territory and even in these it has not been actually implemented. A large number of enactments exist in the States for certain specific agricultural purposes such as utilisation of waste lands, adoption of improved seeds, control of pests and diseases, etc. Much of this legislation is fairly old and needs to be reviewed in relation to the present development programmes for agriculture and the extension services which have been brought into existence in the community development blocks. While it will be of value to bring together the best experience in land management practices for the guidance of farmers, cooperatives and panchayats, the question of enforcing legislative sanctions and of the role of panchayats and panchayat samitis has to be studied further in consultation with the States and in the light of the experience gained by them in working the existing enactments.

PROBLEMS OF IMPLEMENTATION

35. Problems arising in the implementation of land reform legislation enacted in the States have been studied by the Panel on Land Reform and the urgent tasks to be performed have been listed separately in respect of abolition of intermediates, tenancy reforms and ceilings. The Panel has laid particular stress on the preparation of correct and up-to-date records of rights and on the need to strengthen the revenue administration. Records of rights have been brought up-to-date in several areas, but in some of them there is need for a more intensive programme of work. In several States, records of rights do not provide information regarding tenants, sub-tenants and share-croppers, and as such implementation of the legislation itself suffers. Expenditure incurred on cadastral surveys and in the preparation and correction of records of rights has been included in the plans of some States and is eligible for Central assistance. Provisions made for these purposes would need to be augmented as the work proceeds.

36. A number of surveys of land reform have been undertaken in different parts of the country through the Research Programmes Committee of the Planning Commission. They bring out the problems encountered in enforcing the legislation. In view of the wide scope of the legislation which has been enacted and differences in conditions, it is desirable to extend these studies on a systematic basis. For this purpose the assistance of universities and leading research centres should be fully availed of. The aim should be to cover different areas in accordance with a general scheme and to arrange for the evaluation of land reforms both in the transitional phase and from the aspect of long-term economic and social effects.

37. The Planning Commission has under preparation a report on the progress of land reform which brings together the essential features of legislation enacted in different States. This study will also set out data regarding land holdings and cultivation collected at the census organised in 1954-55.....

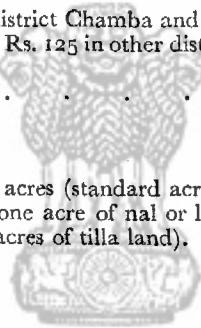
ANNEXURE I

Ceiling on existing holdings—level of ceiling

| State | Level of ceiling | Remarks |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Andhra Pradesh . | 4½ times the family holding, i.e., 27 to 324 acres (a family holding varies from 6 acres of wet land bearing settlement taram No. 1 or settlement classification of 15 annas and above to 72 acres of dry land with taram above 5 and chalka soils with assessment below 8 annas). | Allowance made for size of family-additional one family holding for every member in excess of five. There is no outside limit. |
| Assam . . | 50 acres | No allowance for size of family. |
| Bihar . . | (a) land irrigated by flow irrigation work constructed and maintained by Government: 20 acres (b) land irrigated by lift irrigation work or tubewell constructed or maintained by Government: 30 acres (c) land which is orchard and other lands not included in any other category: 40 acres (d) diara land: 50 acres (e) hilly, sandy and other lands not yielding paddy, rabi or cash crop: 60 acres | Allowance made for size of family subject to an outside limit of twice the ceiling area. |
| Gujarat . . | (i) dry crop land (including land irrigated from non-Government sources) 56 to 132 acres (ii) rice land and seasonally irrigated land. 38 to 88 acres (iii) perennially irrigated land. 19 to 44 acres (The ceiling varies in different local areas as specified in the Act). | No allowance for size of family. |
| Jammu and Kashmir. | 22½ acres | No allowance for size of family. |
| Kerala . . | 15 acres of double crop paddy land or equivalent area (equivalent areas vary between 15 to 37½ acres). | Allowance made for size of family subject to an outside limit of 25 acres of double crop paddy land or its equivalent area. For an unmarried adult person the ceiling limit would be half the ceiling area. |

| State | Level of ceiling | Remarks |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| Madhya Pradesh | 28 standard acres (a standard acre means one acre of perennially irrigated land, 2 acres of seasonally irrigated land and 3 acres of dry crop land). A Bill has been passed to reduce the limit to 25 standard acres and outside limit for a larger family to 50 standard acres. | Allowance made for size of family subject to an outside limit of 53 standard acres. |
| Madras | 30 standard acres (standard acre varies depending on rate assessment and class of land between 0.8 to 4 acres). | Allowance made for size of family—additional 5 standard acres for each member in excess of five subject to an outside limit of 60 standard acres. |
| Maharashtra | (i) perennially irrigated 18 acres land by flow irrigation. (ii) seasonally irrigated lands by flow irrigation :— (a) irrigated for two seasons 27 acres (b) irrigated for one season 48 acres (iii) dry lands (including 66 to 126 lands irrigated from acres in non-Governmental sources). different local areas. | Allowance made for size of family subject to an outside limit of twice the ceiling area. |
| Mysore | 27 standard acres (standard acre varies from one acre of wet land with assured irrigation on which two paddy crops can be raised to 8 acres of dry or garden land with less than 25 inches of annual rainfall). | Allowance made for size of family subject to outside limit of twice the ceiling area. |
| Orissa | 25 standard acres (standard acre varies from one acre of perennially irrigated land which is assured of water supply for at least three crops in a year to 4 acres of dry land). | Allowance made for size of family subject to an outside limit of twice the ceiling area. |
| Punjab : Punjab area. | 30 standard acres not exceeding 60 ordinary acres. In case of displaced persons, 50 standard acres not exceeding 100 ordinary acres. | No allowance for size of family. |
| Pepsu area | 30 standard acres not exceeding 80 ordinary acres. In case of displaced persons, 40 standard acres not exceeding 100 ordinary acres. (Standard acre means an acre of land yielding between 10 and 11 maunds of wheat per acre matured). | No allowance for size of family. |

| State | Level of ceiling | Remarks |
|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Rajasthan . . . | 30 standard acres (standard acre means land yielding 10 maunds of wheat or any other crop of equal value). | Allowance made for size of family subject to an outside limit of 60 standard acres. |
| Uttar Pradesh . . . | 40 acres of fair quality land (an acre of fair quality land means an acre of land with hereditary rate of rent exceeding Rs. 6; 1½ acres with rate between Rs. 4 and Rs. 6; and 2 acres with rate at Rs. 4 per acre or less). | Allowance made at 8 acres of fair quality land for each member in excess of five subject to an outside limit of 64 such acres. |
| West Bengal . . . | 25 acres | No allowance for size of family. |
| Delhi . . . | 30 standard acres (standard acre varies from 4/5th of an acre of irrigated land to 2 acres of Barani land). | Allowance made for size of family subject to an outside limit of 60 standard acres. |
| Himachal Pradesh | 30 acres in district Chamba and land assessed to Rs. 125 in other districts. | No allowance made for size of family. |
| Manipur . . . | 25 acres | Allowance made for size of family subject to an outside limit of 50 acres. |
| Tripura . . . | 25 standard acres (standard acre varies from one acre of nal or lunga land to 3 acres of tilla land). | Allowance made for size of family subject to an outside limit of 50 standard acres. |



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